

BEHRING SEA ARBITRATION.

APPENDIX

TO

COUNTER-CASE OF HER MAJESTY'S GOVERNMENT.

VANCOUVER
B.C.
PUBLIC LIBRARY

VOL. I.

NW
979.8
G78co
v 2

UNIVERSITY
OF
PUBLIC LIBRARY

20

20

20

20

TABLE OF CONTENTS.

	Page
Correspondence respecting date of submitting British Commissioners' Report	1-10
Mr. Foster to Mr. Herbert, September 27, 1892	1
Lord Rosebery to Mr. Herbert, October 13, 1892	4
Mr. Herbert to Lord Rosebery, November 9, 1892	6
Mr. Foster to Mr. Herbert, November 9, 1892	6
Memorandum sent by Sir J. Pauncefote to Mr. Foster, January 7, 1893	10
Translations of Russian documents furnished in Vol. I of the Appendix to the United States'	
Case	11-55
Minister of Finance to Minister of Marine, April 9, 1820	11
Minister of Finance to Board, April 10, 1820	13
Board to Chief Manager, April 23, 1820	16
" " March 31, 1821	18
" " August 3, 1820	20
Orders to Kadiak Office, August 3, 1820	20
Board to Chief Manager, March 15, 1821	21
" " September 7, 1821	22
" " September 20, 1821	23
" " February 28, 1822	24
" " July 31, 1822	25
Minister of Finance to Board, July 18, 1822	25
" " April 2, 1824	27
Count Nesselrode to N. S. Mordvinoff, April 11, 1824	28
Minister of Finance to Board, September 4, 1824	31
Count Nesselrode to Minister of Finance, August 18, 1824	32
Proceedings of Conference, July 21, 1824	32
Board to Kupreianof, March 31, 1840	36
Board to Acting Chief Manager, March 20, 1853	36
Chief Manager to Benzeman, June 20, 1861	40
Department of Commerce to Board, June 19, 1865	41
Concerning granting of Fourth Charter	42
Opinion of Council of State	42
Proclamation	43
Board to Chief Manager, April 6, 1817	44
Kincha Office to Board, February 8, 1817	44
Board to Chief Manager, March 8, 1843	45
Board to Captain Rudakof, April 22, 1853	45
Board to Chief Manager, April 24, 1854	46
" " November 8, 1854	46
" " June 5, 1857	47
Chief Manager to Board, October 7, 1857	48
" " January 13, 1859	50
" " May 13, 1860	50
Manager of St. Paul Island to Chief Manager, June 20, 1859	51
Chief Manager to Board, July 16, 1863	52
Chief Manager to Manager of St. Paul, May 1, 1864	54
Mr. Adams to Mr. Rush, July 22, 1823	56

	Page
Documents produced by the United States on notice by British Agent	59-85
Notice by British Agent, September 30, 1892	59
Mr. Foster to Mr. Tupper, November 5, 1892	59
Governor-General of Siberia to Count Nesselrode, February 1, 1820	60
M. Riccord to Privy Councillor Pestel, July 2, 1819 (Extract)	61
Board to Chief Manager, February 28, 1822	62
Letter of January 1821	62
Baron de Tayll to Mr. Adams, December 5, 1824	63
Instructions to United States' revenue-cruizers, June 4, 1867—May 27, 1891	63-80
Notice by British Agent, September 30, 1892	80
Mr. Foster to Mr. Tupper, November 5, 1892	80
Notice by British Agent (1), October 3, 1892	81
" " (2), October 3, 1892	81
Mr. Foster to Mr. Tupper, November 12, 1892	83
Mr. French to Collector of Customs, San Francisco, April 4, 1881	83
Mr. Goff to Mr. Windom, July 31, 1889	84
Geographical Notes relating to the names "Pacific Ocean," "Behring Sea," "North-Eastern Ocean," "Eastern Ocean," to the meaning of the Expression "North-West Coast," and to the depth of Behring Sea and its connection with the Basin of the Pacific	86-110
French Decree of May 10, 1862, and Law of March 1, 1888	111-113
Treaty between Great Britain and Mexico, November 27, 1888	115
Examples of United States' Public Documents and Acts of Congress in which sealing is described as a "fishery"	122
Statements made by certain witnesses in the United States' Case respecting the Pribyloff Islands, &c., compared with those previously made by the same persons in official Reports	123
Lord Salisbury to Mr. J. M. Macoun, May 13, 1892	134
Mr. J. M. Macoun to Lord Rosebery, January 14, 1893	134
Report by Mr. J. M. Macoun on observations made by him in 1892, particularly on the Pribyloff Islands	135
Meteorological Notes by Mr. C. Carpmuel	157
Extracts illustrating the damage done by seals to fisheries	177

Page
59-85
59
59
60
61
62
62
63
63-80
80
80
81
81
83
83
84

BEHRING SEA ARBITRATION.

Appendix to Counter-Case of Her Majesty's Government.

Vol. 1.

Correspondence relating to the Date of submitting British Commissioners' Report.

No. 1.

Mr. Foster to Mr. Herbert

Sir,

Department of State, Washington, September 27, 1892.

ON the 6th instant, the day after the receipt by me of the printed Case of Her Majesty's Government called for by the provisions of the Arbitration Treaty of 1892, in a conference which I had the honour to hold with you at the Department of State, I made known to you the painful impression which had been created upon me by a hasty and cursory examination of that Case, but I withheld any formal representation on the subject until I could have an opportunity to lay the matter before the President. His absence from this capital and the attendant circumstances have made it necessary for me to delay a communication to you till the present.

I am now directed by the President to say that he has observed with surprise and extreme regret that the British Case contains no evidence whatever touching the principal facts in dispute, upon which the Tribunal of Arbitration must in any event largely, and in one event entirely, depend. No proof is presented upon the question submitted by the Treaty concerning the right of property or property interest asserted by the United States in the seals inhabiting the Pribyloff Islands in Behring Sea, or upon the question, also submitted to the Tribunal of Arbitration, concerning the concurrent Regulations which might be necessary in a certain contingency specified in the Treaty.

If it were fairly to be inferred from this omission that no proofs on these important points are intended to be offered in behalf of Her Majesty's Government, no ground for criticism or objection by the Government of the United States could arise, since it is within the exclusive province of either party to determine what evidence it will submit in respect to any part of the controversy, or to refrain from submitting any evidence at all. But such inference as to the course contemplated by the British Government does not seem consistent with certain statements made by its Agent in the printed Case submitted by him. In reference to the asserted property rights and interests, it is said, after a brief discussion of the question upon the assumption that seals are *feræ naturæ*: "In the absence of any indication as to the grounds upon which the United States base so unprecedented a claim as that of a right to protection of or property in animals *feræ naturæ* upon the high seas, the further consideration of this claim must of necessity be postponed." (British Case, p. 140.) And in reference to the subject of concurrent Regulations, it is said: "The further consideration of the subject of any proposed Regulations, and of the evidence proper to be considered by the Tribunal in connection therewith, must of necessity be for the present postponed." (British Case, p. 157.)

It would seem from the foregoing extracts that it is the view of the Agent of the British Government that he still has an opportunity of laying before the Tribunal any matter which he may choose to introduce by way of proofs or evidence bearing upon the question of property, or interest in

the nature of property, in the Alaskan fur-seals, or upon the question of concurrent Regulations for the protection and preservation of the same; and, inasmuch as the Treaty provides for the submission of evidence only through the Cases and Counter-Cases therein mentioned, such view of the British Agent must be that he may incorporate such proof and evidence in the Counter-Case to be prepared by him, leaving the United States without any means of contradicting, limiting, or qualifying them, however open they may be to contradiction, limitation, or qualification.

It must be evident to the Government of Her Britannic Majesty that by the provisions of the Treaty the question whether the United States have any property interest in the seals referred to, and the question what concurrent Regulations in the specified contingency may be necessary, are directly submitted to the Tribunal; that the Treaty assumes that each party will or may have allegations to make and evidence to produce upon both questions; that the plain contemplation of the Treaty is that each party shall state in his Case what his propositions of law are, and the evidence which will be relied upon in support of them, to the end that the other party may have a fair opportunity of showing in his Counter-Case that such evidence is untrue, or erroneous, or partial, or subject to qualification or explanation, for which purpose alone the provision for a Counter-Case was framed.

The British Agent and Counsel must well know that the decision of the two questions above referred to must depend upon the evidence produced concerning the nature and habits of the fur-seal, and the methods of capture and killing which are consistent with the preservation of the species; and that it is mainly upon these points that collision and contradiction upon matters of fact and differences in respect to matters of opinion are exhibited by the statements of persons likely to be made witnesses; that such witnesses are, in many instances, under the influence of prejudice and bias, and in some open to the suspicion of insincerity and untruthfulness; and that the only way by which either party may protect itself against the consequences of falsehood or error is by having an opportunity to detect and expose it.

The President cannot conceal his astonishment that it should be assumed that the British Government is at liberty to introduce a whole body of testimony of this character for the first time in its Counter-Case, and thus shut out the United States from an opportunity of detecting and exposing any errors which may be contained in it. The Government of the United States cannot fail to be aware, from the correspondence that has hitherto taken place on this subject between the two Governments, as well as from full information derived from the Representatives and Agents of Her Majesty's Government and the Canadian Government in the course of the proceedings and discussions that have already occurred, not only that it is claimed on the part of those Governments that material evidence exists to contradict the facts asserted by the Government of the United States, but that a considerable part of it has been already taken and prepared by the British Government, as to the character, extent, and weight of which, however, the Government of the United States is wholly uninformed.

The propositions of law and of fact upon which the United States will rely in the Arbitration are precisely stated in its Case now in the hands of Her Majesty's Government, and need not be recapitulated here. In support of these assertions of fact a large amount of evidence, and all the evidence the Government of the United States will offer, except in rebuttal of that which may be introduced on the other side, has been prepared and is printed in the American Case and its Appendices.

The facts presented in the American Case are not new. They have been the subject of long discussion and correspondence between the two Governments, and of prolonged consideration by the Commissioners of the respective Governments appointed many months before the Treaty was celebrated, and whose functions, set forth in Article IX of that instrument, were to investigate the subject of seal life and the measures necessary for its protection. The opposing claims of the Governments in respect to these facts have been recognized and understood as constituting in one view to a large extent, and in another view to the full extent, the controversy for the determination of which the Tribunal of Arbitration has been created. If the Commissioners could have agreed in respect to them, as was hoped and desired on both sides, an Arbitration might not have been necessary. It is therefore impossible for the Government of the United States to believe, unless it should be so assured by Her Majesty's Government, that it is the intention of that Government to bring forward no evidence on these points in its own behalf.

If such evidence is to be offered hereafter in the British Counter-Case, the result of withholding it in the Case already delivered will be as follows: When presented in the Counter-Case, the United States' Government will have, under the provisions of the Treaty, no opportunity whatever to meet it by rebutting proof of any description, but must proceed immediately to trial without being able to offer any contradictory, explanatory, or impeaching evidence. The Counter-Case is the last chance afforded by the Treaty for the introduction of any evidence at all. It is therefore provided that the Counter-Cases shall not be exchanged until thirty days before the final submission of the questions for decision. And thus the whole body of the British evidence, if reserved for the Counter-Case, would only come to the knowledge of the Government of the United States on the eve of the hearing, without the privilege of answering it.

Especially would such a method of trial prove injurious to the United States' Government in respect to that branch of the hearing that refers to the Regulations which the Tribunal is authorized to prescribe for the preservation of the seal herd from extinction, if in the course of the consideration of the Case they should reach the conclusion that the United States' Government cannot demand such protection as a right.

A strange misconception seems to exist in the mind of the Agent of Great Britain that a hearing other than that provided in the Treaty is to be afforded for the consideration of the question of Regulations, should the contingency therefor arise, and that another opportunity than the printed Case is to be granted for the submission of evidence upon this question. It must be manifest from an

examination of the Treaty that only one opportunity is afforded each party to submit evidence on this question, and that is to be availed of in the original Case, except so far as evidence in rebuttal may be legitimate in the Counter-Case. Should the Arbitrators, in the course of their deliberations, find it necessary to consider the question of Regulations, the nature, extent, and efficiency of the Regulations to be framed must be determined entirely upon the evidence already submitted, since the subject is one upon which the Arbitrators can have no other knowledge than that thus afforded. How far and how gravely the Governments are at issue upon this point may be seen by reference to the correspondence regarding it between their respective Representatives preceding the celebration of the Arbitration Treaty. Can the United States be reasonably expected to discuss this important question upon a mass of adverse evidence which it has had no chance to meet by counter evidence, and hardly time intelligently to peruse?

It is further worthy of remark that, by the proposed method of making up the Case, the United States' Government will not only be deprived of the means of reply to the British evidence by proof, but also of the opportunity adequately to discuss it in argument. It will be observed from the provisions of the Treaty that the written argument upon the whole Case must be completed and delivered within thirty days from the reception of the Counter-Cases. During this time the argument on the American side must be prepared, printed, and sent across the Atlantic, although a considerable part of the time must necessarily be occupied by Counsel in reaching Paris from the United States. While this may be possible, though not easy, in respect to so much of the Case as has been for several months previously in the hands of Counsel, if only evidence strictly in rebuttal remains to be dealt with after the Counter-Cases are exchanged, it would be manifestly impossible, if the bulk and strength of the British proofs are to be presented for the first time in the Counter-Case, to prepare any argument in respect of them that would be likely to be useful, within a period so short and so interrupted.

To a construction of the terms of the Treaty which leads to results so grossly unjust and so gravely prejudicial, the Government of the United States cannot assent. It would be, in its judgment, such a perversion of the letter and such a violation of the spirit of the Treaty as would threaten to defeat its objects and be fatal to its usefulness. It may safely be asserted that in no judicial proceeding ever invented for the determination of disputed facts was it allowed that one party should be at liberty to introduce his whole Case in such a manner as to give to his adversary no opportunity to present evidence in reply to it, although afforded on his own side full means of replying to his adversary's testimony. Such a method of trial could not be expected to result in a just decision. Had such a proposal been made in the present Case by either of the High Contracting Parties when the provisions of the Treaty were being framed, it would have been at once rejected not only as inadmissible, but as unworthy of the Government presenting it.

The true intent of the terms of the Treaty in respect to the mode of trial is, as the Government of the United States respectfully insists, obvious and clear. But one Case and one Counter-Case are provided for on each side. No issue is previously formed, and no pleadings interposed. It is manifestly contemplated that both parties shall simultaneously submit to the Arbitrators and to each other, in the Case which is to be exchanged within four months from the ratification of the Treaty, their propositions, their claims, and their evidence upon all the points in dispute. Neither goes forward, as in an action at law; neither is entitled to wait until he receives his adversary's Case before submitting his own. Both understand by long correspondence and negotiation what the controversy is. Then to each is afforded the opportunity to reply to the Case on the other side in the Counter-Case which is to be exchanged within three months after the reception of the Case. The language of Article IV is upon this point decisive. No further opportunity of submitting evidence and no second hearing are provided for respecting Regulations or any other matter.

To the Counter-Case no reply is provided for except in argument, for the plain reason that it is supposed to contain no evidence except that in rebuttal. This method is fair to both sides, and places both on an equality; and as confirming the intention of the Governments as to these stages of the proceedings of the Arbitration, it is required that the decision of the Tribunal on the points submitted to it shall, if possible, be made within three months from the close of the arguments.

The Government of the United States has entire confidence that, in this view of the requirements of the Treaty, it will have the concurrence of Her Majesty's Government.

The Government of the United States has been, and is, extremely desirous that the Arbitration should proceed, but only according to the Treaty, the object of which was to provide a fair trial. To this end it has made an elaborate preparation, and has complied on its part with every requirement of the Treaty. It would be a source of profound regret to the United States' Government, and, as it cannot doubt, to Her Majesty's Government, if the Arbitration should at this stage be put in peril. Should the assurance be received from Her Majesty's Government that the apprehension above expressed is unfounded, and that it is not intended on the part of that Government to offer in its Counter-Case evidence on the points that have been mentioned herein, the Government of the United States would accept the British Case as already delivered as a full compliance with the requirements of the Treaty. But in the absence of such an assurance, and in view of the statements made in that Case by the Agent of Great Britain herein quoted, I am directed by the President to state that he would feel constrained to regard the British Case as submitted as a failure on the part of Her Majesty's Government to comply with the terms of the Treaty of the 29th February, 1892, and to protest in the most solemn manner against this non-compliance with its provisions.

But the President entertains the greatest confidence that when the views herein expressed are brought to the attention of Her Majesty's Government, it will hasten to correct the errors which have been made by its Representatives in charge of its Case, and he is pleased to give the assurance in advance that the Government of the United States will assent to any reasonable means that may be proposed to that end by Her Majesty's Government. It is to be noted, however, that if the date fixed in the Treaty for the closing of the Counter-Cases is to be observed, no time is to be lost by the

British Government in submitting such proposition as may seem to it to be called for under the circumstances.

It would not be possible to correct the injustice which the Government of the United States conceives has already been done by the manner in which the British Case has been made up. It was an advantage which it is conceived was not intended to be afforded to either party, that, in taking its evidence in chief, it should have the benefit of the possession of all the evidence on the other side, as also that in making up the Report of its Commissioners it should first be provided with that of their colleagues representing the other Government in respect to those points upon which they have failed to agree. But this disadvantage the United States Government prefers to submit to, though quite aware of its importance, rather than that the Arbitration should be put in peril.

I have felt it necessary to enter at some length upon an exposition of the views of my Government upon this question, because of its great gravity and of the serious consequences which might result from a failure of the two Governments to agree respecting it, and because of the earnest desire of my Government to reach a mutually satisfactory settlement. I deem it proper, however, to add, in conclusion, that the Government of the United States has entire confidence in its ability to maintain its position in the controversy submitted to the Tribunal of Arbitration; but to this end it must be afforded the benefit of those substantial safeguards against the introduction of error which the judicial systems of all nations so carefully secure, and which were designed to be secured by the provisions of the Treaty. In the absence of such safeguards no party to a judicial proceeding can be confident of the protection of his rights; indeed, a trial of a question of right, when one party has no opportunity of meeting and answering the allegations and evidence of the other, does not deserve the name of a judicial proceeding.

I have, &c.
(Signed) JOHN W. FOSTER.

No. 2.

The Earl of Rosebery to Mr. Herbert.

Sir,

Foreign Office, October 13, 1892.

I HAVE received your despatch of the 28th ultimo, inclosing a copy of the note addressed to you by the United States' Secretary of State on the 27th September last respecting the Behring Sea Arbitration.

Its contents, the general purport of which you had previously conveyed to me by telegraph, have received the attentive consideration of Her Majesty's Government, and it appears to them to be necessary to examine its various contentions in some detail.

Mr. Foster states:—

1. That the President "has observed with surprise and extreme regret that the British Case contains no evidence whatever touching the principal facts in dispute, upon which the Tribunal of Arbitration must in any event largely, and in one event entirely, depend. No proof is presented upon the question submitted by the Treaty concerning the right of property or property interest asserted by the United States in the seals inhabiting the Pribyloff Islands in Behring Sea, or upon the question, also submitted to the Tribunal of Arbitration, concerning the concurrent Regulations which might be necessary in a certain contingency specified in the Treaty."

2. Mr. Foster goes on to affirm that the Treaty provides for the submission of evidence only through the Cases and Counter-Cases therein mentioned, and he infers that the view taken by the British Agent must be "that he may incorporate such proof and evidence in the Counter-Case to be prepared by him, leaving the United States without any means of contradicting, limiting, or qualifying them, however open they may be to contradiction, limitation, or qualification."

The Government of Her Britannic Majesty cannot admit that there is any foundation for these complaints, which seem to be based upon a construction of the Treaty which, in their belief and in the opinion of their advisers, is erroneous.

The scheme of that Treaty provides that the five questions submitted in Article VI should be kept distinct from, and that the decision thereon should be prior to, the consideration of any question of concurrent Regulations, which consideration would only become necessary in the event of the five points being decided unfavourably to the claim of the United States. The sixth Article requires that a distinct decision shall be given on each of these points, while the seventh Article provides that "if the determination of the foregoing questions as to the exclusive jurisdiction of the United States shall leave the subject in such position that the concurrence of Great Britain is necessary to the establishment of Regulations for the proper protection and preservation of the fur-seal in, or habitually resorting to, Behring Sea," the Arbitrators shall then determine what concurrent Regulations are necessary, and that "to aid them in that determination, the Report of a Joint Commission, to be appointed by the respective Governments, shall be laid before them, with such other evidence as either Government may submit."

It will be noted that the seventh Article of the Treaty refers only to the Report of a Joint Commission, and it is by the ninth Article alone provided that the joint and several Reports and recommendations of the Commissioners may be submitted to the Arbitrators, "should the contingency therefor arise."

The event therefore on the happening of which the Report or Reports and further evidence are to be submitted is thus indicated by the Treaty—that event being the determination of the five points submitted in the sixth Article unfavourably to the claim of the United States, and so that the subject is left in such a position that the concurrence of Great Britain is necessary for the purpose of establishing proper Regulations.

It will be noticed further that the inquiries of the Commissioners are confined by Articles VII and IX to the question of Regulations, and have no reference to the points raised by Article VI.

It is clear, therefore, that by the Treaty it was intended that the Report or Reports of the Commissioners should be produced, not as part of the Case upon the questions stated in Article VI, but at a later stage, and then only in the contingency above referred to.

With regard to point 5 of Article VI, the Government of Her Britannic Majesty, believing that the alleged "right of property or property interest" depends upon questions of law, and not upon the habits of seals and the incidents of seal life, have stated propositions of law which in their opinion demonstrate that the claim of such right is not only unprecedented, but untenable. These propositions will be found at pp. 135 to 140, 153 to 157, and propositions 15, 16, and 17 on p. 160 of the Case of this Government.

This being the view of the Government of Her Britannic Majesty, it would have been altogether inconsistent with it, and, indeed, as they conceive, illogical and improper, to have introduced into the British Case matter which, in the opinion of Her Majesty's Government, can only be legitimately used when the question of concurrent Regulations is under consideration.

The Government of Her Britannic Majesty therefore reserved, and in their opinion rightly reserved, until the time contemplated by Articles VII and IX of the Treaty, the consideration of the question of concurrent Regulations, should the contingency therefor arise, and Her Majesty's Government protest against the introduction at this stage of facts touching seal life, which they contend afford no support to the exclusive rights claimed by the United States, which were the original cause and formed the first object of this Arbitration.

With regard to the allegation that the United States will have no means of contradicting, limiting, or qualifying the proof and evidence adduced in the British Counter-Case, the Government of the United States appear to have overlooked the provision of Article VII, by which, with reference to the question of the concurrent Regulations, express permission is given to each Government to submit other evidence.

These are the views of the Government of Her Britannic Majesty, and they must maintain their correctness. But the Government of the United States have expressed a different view; they have taken the position that any facts relevant to the consideration of concurrent Regulations should have been included in the Case on behalf of Her Britannic Majesty presented under Article III, and that the absence of any statement of such facts places the United States at a disadvantage. The Government of Her Britannic Majesty, while dissenting from this view, are desirous in every way to facilitate the progress of the Arbitration, and are therefore willing to furnish at once to the Government of the United States and to the Arbitrators the separate Report of the British Commissioners, with its Appendices. The Government of the United States are at liberty, so far as they think fit, to treat these documents as part of the Case of the Government of Her Britannic Majesty.

Her Britannic Majesty's Government must, however, reserve to themselves the right of dealing in its Counter-Case, or at later stages of the proceedings, as contemplated by the Treaty, with the questions which have been raised in the Case of the United States. It must also be understood that Her Britannic Majesty's Government reserve to themselves the right of objecting to the introduction in the consideration of the five points submitted by the sixth Article of the Treaty of matter which they contend to be irrelevant, and which they consider to have been improperly introduced in that connection.

The Government of Her Britannic Majesty have observed with surprise a suggestion contained in the concluding paragraphs of Mr. Foster's note, that they have derived an advantage in "making up the Report of its Commissioners," by being first provided "with that of their colleagues representing the other Government in respect to those points upon which they have failed to agree." This advantage Mr. Foster further characterizes as important. The Government of Her Britannic Majesty had taken a different view as to the functions of the Commissioners from that apparently taken by the Government of the United States. Her Majesty's Government had regarded them as independent and free from control in the preparation of their Report, and the duty of strict impartiality will be found to have been specially impressed upon them in their instructions.

The Report and Appendices, in the words in which they are now presented to the United States, were printed on the 21st June, 1892, and laid before the Queen in pursuance of Her Majesty's Commission.

As the time for the delivery of the Counter-Cases has now been extended by sixty days, the Government of the United States will probably concur in thinking that ample time will be afforded to that Government for dealing fully with the Report, but the Government of Her Britannic Majesty would be prepared to concur with the United States' Government in agreeing to a further extension of time, should the United States' Government require it.

You will deliver to Mr. Foster a copy of this despatch, as forming the answer of Her Majesty's Government to his note of the 27th ultimo, and you will present to him at the same time the accompanying copies of the volume containing the Report of the British Commissioners.

Copies of the volume will be forwarded to each of the Arbitrators, and Her Majesty's Government propose also to forward to them copies of Mr. Foster's note and of this despatch.

I am, &c.
(Signed) ROSEBERRY.

No. 3.

Mr. Herbert to the Earl of Rosebery.—(Received November 21.)

My Lord,

Washington, November 9, 1892.

WITH reference to my telegrams of to-day, I called at the Department of State this morning at the request of Mr. Foster, when he handed me a note containing the reply of the United States' Government to your Lordship's despatch of the 13th ultimo in regard to the Behring Sea Arbitration.

After briefly recapitulating the principal points of this communication, copy of which I have the honour to inclose herewith, he stated that I might consider the difficulty which had arisen between the two Governments as settled, but he wished at the same time to make it clear to me that the United States' Government had accepted the Report of the British Behring Sea Commissioners as part of the original British Case, under the assumption that it contained all the evidence on which Her Majesty's Government intend to rely in regard to pelagic sealing and the habits of the fur-seal, and that no fresh matter relating to these subjects would be introduced into the British Counter-Case except in reply to the questions raised in the United States' Case. Should they, however, have been mistaken in this assumption, they intended to insist on their interpretation of the Treaty before the Tribunal of Arbitration, and to oppose the submission to the Arbitrators of any matter which might be inserted in the British Counter-Case which, in the opinion of the United States, would not be justified as relevant by way of reply to their Case.

I expressed my gratification at the settlement of the question, and asked him whether the United States required the extension of time offered by your Lordship for the preparation of their Counter-Case.

Mr. Foster replied that the offer had been communicated to the United States' Counsel, but that he did not think any extension of time would be required. He would, however, suggest unofficially, in view of your Lordship's offer, that the time fixed in the Treaty for the presentation of the printed Argument should be extended by thirty days for the reasons contained in a short Memorandum which he gave me, copy of which I have the honour to inclose. He was anxious, he continued, to have your Lordship's opinion as to this suggestion, which he would make officially in a few days; and he hoped that the former Agreement which he had suggested would be accepted, as a supplementary instrument to the Treaty would involve many formalities, and would require ratification by the Senate.

I have, &c.
(Signed) MICHAEL H. HERBERT

Inclosure 1 in No. 3.

Mr. Foster to Mr. Herbert.

Sir,

Department of State, Washington, November 9, 1892.

I HAD the honour to receive through you on the 25th ultimo a copy of Lord Rosebery's despatch of the 13th of the same month, but an acknowledgment has been delayed for the reason that the interpretation placed by his Lordship upon those provisions of the Arbitration Treaty of the 20th February, 1892, which relate to the mode of procedure called, in the view of the President, for some response from the Government of the United States, and that this could be more intelligently framed after the copy of the Report of the Behring Sea Commissioners made to Her Majesty's Government, and which Lord Rosebery expressed a willingness to furnish to the Government of the United States, had been examined, and the extent to which that Report would affect the Case theretofore prepared on behalf of Her Majesty's Government more precisely known.

This Report having been furnished to the Government of the United States and carefully examined, I now proceed to state the views entertained by this Government upon the interpretation of the Treaty in the particulars above mentioned by Lord Rosebery. That interpretation has been considered with the care which its character demands, and I am constrained to say that I cannot concur in it. It appears that, according to the view of Lord Rosebery, all matters relating to the nature, habits, and life history of the fur-seals, and the modes by which they are taken and killed, that is to say, substantially, all the matter upon which questions of facts arise between the parties, are relevant only to the question of concurrent Regulations, and not to the claim of a property interest

asserted by the United States. If this view be correct, it follows that the Treaty makes no provision by which the allegations and proofs of the one party against the other and questions of fact may be met, considered, and overcome by the other. Lord Rosebery has it is able to point to no provision affording to the parties an opportunity essential to the preservation of their just rights except that contained in Article VII, which declares that in the event that the Arbitrators are called upon to consider the subject of concurrent Regulations, "the Report of a Joint Commission to be appointed by the respective Governments shall be laid before them, with such other evidence as each Government may submit." If this clause were to be interpreted as permitting the parties to lay before the Arbitrators evidence pertinent to the subject of concurrent Regulations after the exchange of the Cases and the Counter-Cases (a view to which the United States does not assent), it certainly makes no provision for the furnishing of such evidence by the one party to the other which the United States insists upon as the essential condition for the establishment of truth upon the disputed questions of fact. When we observe the industrious care with which the Treaty provides for the furnishing of Cases and Counter-Cases, the first designed to contain the allegations and proofs by which the respective parties may wish to support their contentions, and the last to enable them to meet and overcome the proofs adduced by their adversaries, is it possible to doubt that this provision was intended to cover the case of disputed matters of fact?

I will not repeat the argument used by me in one of the 27th September, designed to show the unreasonableness of imputing to the framers of the Treaty an intention so incompatible with the essential conditions of a judicial proceeding, the view appears to be attributed to them by Lord Rosebery; but again calling the attention of Her Majesty's Government to the views expressed in that note, I venture to suggest, for the consideration of Lord Rosebery, that when it appears by the Treaty that industrious care was taken to secure to each party to the controversy a knowledge of the substance of the allegations and proofs of the other, to the end that a contest might be the more intelligently made and the real truth more fully and accurately established, it is not a sound method of interpretation to nullify the effect of that intent by attaching importance to the mode in which particular clauses of the document are expressed. It would seem to be inconsistent with reason and with the familiar principles of the interpretation of written documents in such cases to dispose of any ambiguous language in particular clauses by a reconciling construction which will pervert the known intentions of the framers of the document to have their effect.

Applying this rule of interpretation to the case in question, I am of the opinion that the particular expressions upon which Lord Rosebery relies have nothing in them inconsistent with the plain intention of the framers of the Treaty, as manifested by the main provision above referred to. So far as the particular language of Article VII is concerned, two observations are to be made:—

1. Interpreting this language as it stands in the Treaty, and without referring to any fact *alibi*, it appears to be equally consistent with either view. The point at which the Commissioners are to consider the matter of concurrent Regulations is fixed; but neither the time nor the point at which the Report or other evidence is to be laid before them is fixed. The intimation may just as well have been that this should be done in the Cases and Counter-Cases, the parties so to do. It is a frequent occurrence in judicial controversy that the respective alternative proofs. Such instances do not call for separate hearing and decision; and the view now advanced upon each view is submitted at the outset, although it is well understood that the framing of certain parts of the allegations and proofs will not be considered.

2. As a matter of fact, what now stands is Article VII of the Treaty was, in the same language, part of an Agreement entered into by the Diplomatic Representatives of the two nations before the Treaty was concluded, and before the provisions in relation to the exchange of Cases were framed. It is easy, therefore, to see that all that was necessary at the time the Article was first framed and agreed upon was to provide for the laying before the Arbitrators of their Report and other evidence, leaving the details of when and how such evidence should be reasonably furnished by the respective parties to each other to be thereafter settled in framing other provisions of the Treaty.

Touching the language of Article IX, relating to a contingency in which it is contemplated that the Reports might not be laid before the Arbitrators, and which contingency Lord Rosebery supposes to be that of a determination by the Arbitrators upon the five special questions submitted to them adverse to the United States, I beg to submit that Lord Rosebery is clearly in error. The substance of Article IX was also embraced in the Agreement above referred to, which preceded the Treaty and created the Joint Commission. Although at the time it was contemplated that an arbitration should be provided for, it was yet hoped by the negotiators on each side that a satisfactory scheme of protection would be agreed to by the Joint Commission. The contingency referred to was that of an inability of the members of the Joint Commission to come to an agreement satisfactory to their respective Governments, and not, as Lord Rosebery supposes, that of a determination upon the five special questions adverse to the contention of the United States. A communication from Mr. Blaine, one of the negotiators, is appended hereto, showing the circumstances under which the antecedent Agreement was made. It is believed that Sir Julian Pauncefote, the negotiator on the part of Her Majesty's Government, will not dissent from this statement.

For the above reasons I cannot concur in the reasoning of Lord Rosebery, based upon a special consideration of the language of particular clauses of the Treaty. If his interpretation of the Treaty is correct, the whole matter of the submission of evidence and of argument as to matters affecting the question of negotiations is, as I have already suggested, left without any prescription of methods or limitations as to time. In view of the care taken in these particulars in the Treaty as to the Case and Counter-Case and Argument, it is not to be supposed that such an omission would have occurred. The provisions made were plainly intended to cover all matters submitted. I am clearly of the opinion that the clauses cited by Lord Rosebery, when properly examined in connection with the circumstances under which they were framed, contain nothing inconsistent with the plain general

intention of the Treaty to secure to each party an opportunity to meet and overcome the allegations and proofs of his adversary upon disputed questions of fact; and even if these clauses should seem to contain matter furnishing some support to the views expressed by Lord Rosebery, a familiar rule of law would require us to subordinate the inference they may suggest to the main purpose of the parties. It is a matter of frequent occurrence where Agreements come before Judicial Tribunals for interpretation that incongruities are found between those parts of a writing which express the main purpose of its framers and those which relate to subordinate details. Such incongruities are always disposed of by a reconciling construction which secures the main object which the parties had in view.

I entirely agree to the observation of Lord Rosebery, to the effect that the right of property in fur-seals depends upon questions of law; but I conceive that the precise questions of law cannot be known, and cannot, therefore, be determined, until the facts out of which they arise are known; and I cannot concur with Lord Rosebery in the view which appears to be entertained by him, that the facts concerning the nature and habits of fur-seals, and the modes by which their increase may be made subservient to the uses of man without endangering the existence of the stock, are not pertinent to the claim of the United States to a property interest. On the contrary, I regard these facts as in the highest degree important.

Having thus expressed the views entertained by the Government of the United States upon the argument of Lord Rosebery in support of his interpretation of the Treaty, it remains for me to add that I am instructed by the President to say that he appreciates the spirit of equity and liberality in which Lord Rosebery, while insisting upon his own interpretation, practically to some extent at least, and I hope fully, yields to the Government of the United States the benefit of its interpretation by furnishing to the latter the separate Report of Her Majesty's Commissioners, with the permission that the same be treated as part of the original Case on the part of Great Britain. If, as I believe and assume, this Report contains substantially all the matter which Her Majesty's Government will rely upon to support its contentions in respect to the nature and habits of fur-seals, and the modes of capturing them, I entertain a confident hope that all further difficulty upon the questions discussed in this note may be avoided.

I deem it necessary, however, to say that the Government of the United States will, should occasion arise, firmly insist upon its interpretation of the Treaty, and that it reserves the right to protest against and oppose the submission to, and reception by, the Arbitrators of any matter which may be inserted in the British Counter-Case which may not be justified as relevant by way of reply to the Case of the United States.

The President is further gratified by the readiness manifested by Lord Rosebery to concur with the Government of the United States in respect to such extension of time as may be needed in dealing with the Report of which he has furnished a copy. This friendly offer will be communicated to the Counsel on behalf of the United States, and their wishes will be made known to your Legation or the British Agent.

I have, &c.
(Signed) JOHN W. FOSTER.

Inclosure 2 in No. 3.

Mr. Blaine to Mr. Foster.

Sir,

17, Madison Place, Washington, November 8, 1892

AFTER an arbitration had been resolved upon between the American and British Governments, a special correspondence between the Department of State and Lord Salisbury ensued, extending from early in July to the middle of November 1891. The various subjects which were to be discussed, and the points which were to be decided, by the Arbitrators in the affair of the Behring Sea were agreed upon in this correspondence.

A month later Sir Julian Pauncefote, the British Minister, and myself arranged the correspondence and reduced the propositions and counter-propositions to a Memorandum which was signed by us on the 18th December. Subsequently, the questions which had arisen between the two Governments concerning the jurisdictional rights of the United States in the waters of the Behring Sea were expressed in the form of a Treaty concluded at Washington on the 29th February, 1892. This Treaty was advised by the Senate on the 29th March, 1892, ratified by the President on the 22nd April, ratifications exchanged on the 7th May, and proclaimed on the 9th May, 1892.

In all these steps, including the correspondence with Lord Salisbury, the Memorandum concluded between Sir Julian and myself, and the Treaty that was ultimately proclaimed on the 9th May, 1892, and which was negotiated by Sir Julian and myself, not one word was said or intimated respecting the question now raised by the British Government as to a secondary submission of evidence after the first five points set forth in Article VI had been decided by the Arbitrators. It was never intimated that any other mode of proceeding should be had than that which is expressed in Articles III, IV, and V of the Treaty.

I shall be surprised if Sir Julian Pauncefote shall differ in the slightest degree from this recital of facts.

I have, &c.
(Signed) JAMES G. BLAINE.

Inclosure 3 in No. 3.

Memorandum of Agreement referred to in Mr. Blaine's Letter of November 8, 1892

THE following is the text of Articles for insertion in the Behring Sea Arbitration Agreement as settled in the diplomatic correspondence between the Government of the United States and the Government of Great Britain :—

1. What exclusive jurisdiction in the sea, now known as the Behring Sea, and what exclusive rights in the seal fisheries therein, did Russia assert and exercise prior and up to the time of the cession of Alaska to the United States?

2. How far were these claims of jurisdiction as to the seal fisheries recognized and conceded by Great Britain?

3. Was the body of water now known as the Behring Sea included in the phrase "Pacific Ocean," as used in the Treaty of 1825 between Great Britain and Russia, and what rights, if any, in the Behring Sea, were held and exclusively exercised by Russia after said Treaty?

4. Did not all the rights of Russia as to jurisdiction, and as to the seal fisheries in Behring Sea east of the water boundary in the Treaty between the United States and Russia of the 30th March, 1867, pass unimpaired to the United States under that Treaty?

5. Has the United States any right, and, if so, what right of protection or property in the fur-seals frequenting the islands of the United States in Behring Sea when such seals are found outside the ordinary 3-mile limit?

6. If the determination of the foregoing questions as to the exclusive jurisdiction of the United States shall leave the subject in such position that the concurrence of Great Britain is necessary to the establishment of Regulations for the proper protection and preservation of the fur-seal in, or habitually resorting to, the Behring Sea, the Arbitrators shall then determine what concurrent Regulations outside the jurisdictional limits of the respective Governments are necessary, and over what waters such Regulations should extend, and to aid them in that determination the Report of a Joint Commission to be appointed by the respective Governments shall be laid before them, with such other evidence as either Government may submit.

The Contracting Powers furthermore agree to co-operate in securing the adhesion of other Powers to such Regulations.

7. The respective Governments having found themselves unable to agree upon a reference which shall include the question of the liability of each for the injuries alleged to have been sustained by the other, or by its citizens, in connection with the claims presented and urged by it, and being solicitous that this subordinate question should not interrupt or longer delay the submission and determination of the main questions, do agree that either may submit to the Arbitrators any question of fact involved in said claims, and ask for a finding thereon, the question of the liability of either Government upon the facts found to be the subject of further negotiation.

(Signed)

JAMES G. BLAINE.

JULIAN PAUNCFOTE.

December 18, 1891.

The following is the text of the Behring Sea Joint Commission Agreement as settled in the diplomatic correspondence between the Government of the United States and the Government of Great Britain :—

Each Government shall appoint two Commissioners to investigate, conjointly with the Commissioners of the other Government, all the facts having relation to seal life in Behring Sea, and the measures necessary for its proper protection and preservation.

The four Commissioners shall, so far as they may be able to agree, make a joint Report to each of the two Governments; and they shall also report, either jointly or severally, to each Government on any points upon which they may be unable to agree.

These Reports shall not be made public until they shall be submitted to the Arbitrators, or it shall appear that the contingency of their being used by the Arbitrators cannot arise.

(Signed)

JAMES G. BLAINE.

JULIAN PAUNCFOTE.

December 18, 1891.

Inclosure 4 in No. 3.

Memorandum handed to Mr. Herbert by Mr. Foster, November 9, 1892.

MR. FOSTER suggests that the time fixed in the Treaty for presentation of the printed Argument is inadequate, especially in view of the fact that the Counsel of the United States will have to consume a considerable part of that time in crossing the ocean after receipt of the Counter-Case and preparation of the Argument. It has been contemplated after the Argument was completed to translate the same into French. It is manifest that all this cannot be properly accomplished within thirty days. Having in mind the offer made in Lord Rosebery's note of the 13th October of a further extension of time, if desired by the United States, in view of the late date at which the Report of the British Commissioners was delivered, Mr. Foster proposes that it be agreed between the two Governments that, on the meeting of the Tribunal of Arbitration, if the Agent of either Government shall ask the Arbitrators for an adjournment of not exceeding thirty days to enable the printed Argument to be filed, the Agent of the other Government will also support the request.

No. 4.

Sir J. Pauncefote to Mr. Foster.

Dear Mr. Foster,

Washington, January 7, 1893.

WITH reference to our conversation at the Department of State on the 5th instant respecting the interpretation placed on Article VII of the Behring Sea Treaty in your note to Mr. Herbert of the 9th November last, and to the appeal therein made to myself personally in connection with the point under discussion, I now beg leave to send to you, as arranged, a Memorandum of the grounds on which I feel bound to disclaim the views inferentially attributed to me.

I remain, &c.
(Signed) JULIAN PAUNCEFOTE.

Inclosure in No. 4.

Memorandum on Mr. Foster's Note to Mr. Herbert of November 9, 1892.

SINCE my return to Washington I have had an opportunity of examining the official correspondence which has taken place between Her Majesty's Government and that of the United States on the question whether the subject of concurrent Regulations, which under Article VII of the Behring Sea Arbitration Treaty are in the contingency therein mentioned to be determined by the Arbitrators, should have been dealt with in the printed Case delivered on behalf of Her Majesty's Government.

I find that in a note from Mr. Foster to Mr. Herbert of the 9th November last I am inferentially appealed to by Mr. Foster, and also by Mr. Blaine, in support of the contention of the United States Government that the contingency mentioned in Article VII does not refer to the decision of the Arbitrators on the five special questions submitted to them, but to the inability of the Joint Commission to come to an agreement as to the Seal Regulations.

I am at a loss to understand this reference to me, as throughout the whole of my negotiations with Mr. Blaine, and (during his prolonged illness) with the Assistant Secretaries of State Messrs. Wharton, Adee, and Moore, not one word was ever spoken or written which could even suggest the belief that I ever held any view as to the intention of the two Governments on the point in question other than that which is plainly expressed in Articles VII and IX of the Treaty.

With respect to those Articles, Mr. Foster states that the "contingency referred to was that of an inability of the members of the Joint Commission to come to an agreement satisfactory to their Governments, and not, as Lord Rosebery supposes, that of a determination upon the five special questions adverse to the contention of the United States." Mr. Foster adds: "It is believed that Sir Julian Pauncefote, the negotiator on the part of Her Majesty's Government, will not dissent from this statement."

I desire to record my entire dissent from that view. It follows as a necessary consequence that if the Arbitrators should determine that the concurrence of Great Britain is not necessary to the establishment of Regulations for the protection of seal life, the seal fishery would thenceforth be exclusively regulated by the municipal law of the United States, and no "concurrent" Regulations would be necessary.

Therefore Article VII provides that if it shall be decided that the concurrence of Great Britain in any such Regulations is necessary, the Arbitrators shall then determine what those Regulations shall be.

Article IX provides that the joint and several Reports of the Commissioners may be submitted to

the Arbitrators "should the contingency therefore arise;" and further, that the Commissioners shall make a Joint Report "so far as they may be able to agree," and that their Reports, joint and several shall not be made public until they shall be submitted to the Arbitrators, "or it shall appear that the contingency of their being used by the Arbitrators cannot arise."

No other contingency is mentioned in the Treaty than that expressly laid down in Article VII, namely, a decision on the first five points which shall necessitate concurrent Regulations. Yet it is now proposed on behalf of the United States' Government to substitute an entirely new and different "contingency," unknown to the Treaty, and in contradiction with its literal and reasonable sense.

The terms of Article VII are so clear and unambiguous as to preclude any extrinsic evidence (if it existed) to modify their purport, for such evidence is admissible only to explain what is doubtful, but not to contradict what is plain.

Mr. Foster incloses in his note a letter from Mr. Blaine, in which the ex-Secretary of State, after briefly reviewing the course of the negotiations, proceeds as follows: "Not one word was said or intimated respecting the question now raised by the British Government as to a secondary submission of evidence after the first five points set forth in Article VI had been decided by the Arbitrators. It was never intimated that any other mode of proceeding should be had than that which is prescribed by Articles III, IV, and V of the Treaty." He adds, "I shall be surprised if Sir J. Parnceote shall differ in the slightest from this recital of facts."

In the first place, I beg leave to remark that the question was not "raised by the British Government." It was raised by the United States' Government, who, as I venture with great respect to contend, irregularly submitted in their printed Case evidence and arguments respecting concurrent Regulations which the Arbitrators are only empowered to receive and deal with in the contingency mentioned in Article VII, that is to say, in the event of concurrent Regulations being held necessary, and who afterwards protested against the absence of all such matter in the British Case.

In the next place, the omission of any provision in the Treaty as to the mode of presentation of such evidence is quite natural, and easily explained.

The contingency of such evidence being used could not arise until after the decision of the Arbitrators on the five special questions. It was quite unnecessary, therefore, to discuss during the negotiations, and by way of anticipation, the mode in which that evidence should be brought before the Arbitrators. The contingency of that evidence being used before the Arbitrators might never arise, and, if it did, the mode of its presentation would be a matter of procedure for the Tribunal to settle. Indeed, any discussion on that point would have been premature, as anticipating a decision adverse to the United States on the five special questions.

Mr. Foster succeeded to the office of Secretary of State after the Treaty was signed, and his references to me, therefore, would seem to be based entirely on Mr. Blaine's letter. But it will be observed that in that letter Mr. Blaine appeals to me only to confirm his "recital of facts," and not to support the conclusion which he draws from the Treaty being silent as to the time or mode of presenting the evidence and arguments in relation to concurrent Regulations. It cannot, I think, be contended that the question is affected by the fact that the two separate Agreements of the 18th December, 1891 (of which copies are annexed to Mr. Blaine's letter) were ultimately embodied in one and the same Treaty.

I have already stated the grounds on which it appears to me that the interpretation placed by Mr. Foster on the Treaty, taken in its entirety, cannot be supported.

I think it may be convenient, in conclusion, to recall how the two Agreements came to be included in one instrument, contrary to the original intention of the High Contracting Parties.

The proposal of Her Majesty's Government for the appointment of a Joint Commission was for a long time opposed by the United States' Government. It was refused by Mr. Blaine when originally suggested in my note of the 29th April, 1890 (Blue Book "United States No. 2" (1890), p. 455), as part of a scheme of settlement of the dispute. It was again refused by Mr. Blaine when pressed on him by me while negotiating the *modus vivendi* of 1891, as reported in my despatch No. 81 of the 27th April of that year (see Blue Book "United States No. 2 (1891)," p. 2).

During the following two months the negotiations were continued, on behalf of the United States' Government, by Mr. W. Wharton, the Acting Secretary of State.

In my letters to him of the 10th and 11th June, 1891, I again strongly urged the appointment of a Joint Commission—and, indeed, under instructions from the Marquis of Salisbury, I made it a condition of signing the *modus vivendi*. It was then that the United States' Government consented to the appointment of a Joint Commission, with the stipulation that the Agreement should be separate from, though signed simultaneously with, the Arbitration Agreement (see Mr. Wharton's letters of the 10th and 25th June, 1891 (Blue Book "United States No. 3," pp. 35 and 51)).

In his letter of the 25th June Mr. Wharton wrote thus: "It being understood that an arrangement for a Joint Commission is to be made contemporaneously with the conclusion of the terms of arbitration, I am directed by the President to propose the following separate Agreement."

The Agreements were therefore kept separate, and with distinctive headings, as shown in the copies annexed to Mr. Blaine's letter. But when the draft Treaty was drawn up and handed to me for the approval of Her Majesty's Government I observed that it comprised both Agreements, and in reply to my inquiry as to the reason for this departure from the original arrangement, I was informed that the Joint Commission Agreement entailed an expenditure of public money, and must be laid before the Senate, as well as the Arbitration Agreement, and that it was considered more convenient that the whole arrangement should be comprised in the same instrument. This explanation was accordingly reported by me to the Marquis of Salisbury in my despatch No. 34 of the 4th February, 1892,

* The British Parliamentary Papers cited in this Memorandum are annexed to the British Case, Appendix, vol. III.

transmitting the draft of the Treaty for the approval of Her Majesty's Government. (Blue Book, "United States No. 3 (1892)," p. 141.)

It was not suggested at that time that the effect of embodying the two Agreements in one instrument would be to introduce any innovation in the procedure as understood when the Agreements were kept separate. If any such effect had been contemplated by the United States' Government it would surely have been pointed out to me at that time.

Her Majesty's Government having agreed, in a spirit of liberality and conciliation, that the Report of the British Commissioners shall form part of the British Case, I trust that this discussion may not be renewed. But as I have been appealed to both by the present and ex-Secretary of State, I fear that silence on my part might be taken as an acquiescence in the interpretation put on the Treaty in Mr. Foster's note of the 9th November. I therefore feel bound to offer the above observations on that note, and I venture to hope that they may throw further light on the subject, and modify the conclusions arrived at by the United States' Government.

(Signed)

JULIAN FAUNCEFOTE.

Washington, January 7, 1893.

Translations of Russian Documents furnished in United States' Case.

[The left-hand column contains the translations originally furnished by the United States' Government in Vol. I of the Appendix to their Case. In the right-hand column revised translations are given. Nos. 1 to 10, 12, and 15 having been withdrawn by the United States, the revised translations of these documents have been made for His Majesty's Government from the *fac-similes* of the original Russian text annexed to the Case of the United States. Of the remainder, viz., Nos. 11, 13, 14, and 16 to 31, the amended versions, recently supplied by the United States, have been adopted. Where any material differences between the original and revised translations occur the passages have been underlined, with the addition of brackets in the case of interpolations.]

ORIGINAL TRANSLATION.

No. 1.

Abstract of Letter from the Minister of Finance to the Minister of Marine. Written from St. Petersburg, April 9, 1820.

THE Committee of Ministers appointed by His Majesty on the 8th day of July, 1819, instructed the Minister of Internal Affairs to collect all information obtainable relating to the determination of the future rights and privileges of the Russian-American Company.

Subsequently, upon highest request, the Department of Manufactures and Internal Commerce, together with the Russian-American Company, submitted statements on this subject supported by the Annual Reports of the Board of Administration and by the testimony of the commanders of ships sailing in those regions, from which I learn that the foreigners, especially the citizens of the North American States, come to our Colonies in their ships and carry on both openly and secretly a trade with the native inhabitants, doing thereby great injury and wrong to our Settlements in their traffic, and also endangering the general interests by furnishing the islanders with various arms and ammunitions.

In view of the recent establishment at these Colonies, and of the absence of forces required to prevent such irregularities, and of the small number of Russians scattered over an area of nearly 4,000 versts, the Company finds it impossible to occupy all localities in sufficient numbers to prevent the foreigners from maintaining their illegitimate intercourse with the native inhabitants, and from exercising their pernicious influence upon them. In this connection I have taken into consideration that the interests of the Company, its establishments and objects are inseparable from the interests of the Government, and it appears of the most imperative necessity for the preservation of our sovereignty in the north-western part of America and on the islands and waters situated between them to maintain there continuously two ships of the Imperial fleet.

This object will, in my opinion, be most readily accomplished in the following manner:

Starting in the month of August or September of the present year, one of these armed ships can sail for the Island of Sitka, and the other

[117.]

REVISED TRANSLATION.

No. 1.

Copy of a Letter from the Minister of Finance to the Minister of Marine, dated April 9, 1820.

(No. 8.)

BY a decision of the Council of Ministers, which received His Majesty's sanction on the 8th July, 1819, the Minister of the Interior was called upon to collect full information on the question of the proposed changes in the arrangements in connection with the Russian-American Company.

Subsequently, when, by His Majesty's order, the Department of Manufactures and Internal Commerce, and with it the Russian-American Company, were placed under the direction of the Ministry of Finance, the subject came before me for my consideration. I have gathered from the various Reports of the Board of Administration, as well as from the observations of the Commanders of ships that have visited those parts, that foreigners, especially citizens of the North American States, come to our Colonies in their ships, and carry on both openly and secretly a trade with the native inhabitants, and do injury and wrong to our Settlements by their proceedings, and, most of all, by supplying various kinds of arms to the islanders.

As the Colonies have only lately been founded, and as they do not possess sufficient forces to remedy these evils, a small number of Russians being scattered over an area of nearly 4,000 versts, the Company is unable as yet to occupy all points in such a manner as to prevent the foreigners from continuing their forbidden intercourse with the Americans and islanders, or exercising their influence over them. Under these circumstances, considering that the interests of the Company, its foundation, and its objects are inseparably connected with the interests of the Government, it appears to be very necessary, if we are to keep our hold over our possessions in the north-western part of America and on the islands situated in the ocean, that two ships of the Imperial navy should be kept constantly in that part of the world.

This proposal will, in my opinion, be best carried out in the following manner:

Starting in the month of August or September of this year, one of these ships of war should arrive at the Island of Sitka, and the other at the

E

for the harbor of Petropavlovsk, arriving there in the month of April or May 1821. The first having discharged at Sitka any cargo which may be intrusted to the commander, should sail to the northward along the American coast to Kadiak; should the commander receive at any of these places no special information as to foreign contrabandists from the manager of the Russian-American Company's Colonies, he may pursue his course to the westward, and having thoroughly examined the shores of the Aleutian Islands, the coast of Kamchatka, the Kurile Islands, [and the intervening waters,] he may return for the winter to the harbor of Petropavlovsk.

The other ship, however, having examined the eastern coast of the Kamchatka peninsula up to 62° of northern latitude and the west coast of America from this latitude to the Island of Unalaska, [and the intervening waters,] should proceed to Kadiak, and from there to Sitka for the winter. The object of the cruising of two of our armed vessels in the localities above-mentioned is the protection of our Colonies and the exclusion of foreign vessels engaged in traffic or industry injurious to the interests of the Russian Company, as well as to those of the native inhabitants of those regions.

If in the following year, 1821, two similar ships are dispatched from our Baltic ports, they could, in May or June of the year 1822, relieve the ships sent out in 1820, and the latter could return to their home ports by the middle of 1823.

In this manner two ships of war would always be present in the Colonies, and the Company would be assured of their protection. In addition to the other advantages resulting from this arrangement, it would afford a most excellent opportunity for the officers of the Imperial navy to perfect themselves by practice in the science of navigation.

In submitting this proposition to your Excellency, I consider it unnecessary to enumerate in detail the advantages resulting therefrom, but you must not omit to take into consideration the expenditure involved in such an undertaking. It therefore becomes necessary to know how much the fitting out of such ships and the maintenance of their crews would cost the Treasury. We should also know whether it be possible for such ships to take, in addition to provisions and stores for their own use during a period of three years, any other supplies which may be needed in Kamchatka and Okhotsk, and how much of their tonnage could be devoted to the latter object. This information would be useful also for other purposes.

The Governor-General of Siberia, in his Report on the impoverished condition of the Yakutsk country, points out as the principal reason for this condition the burdens imposed upon the people through transportation of Government and commercial cargoes overland from Yakutsk to Okhotsk. If by means of the vessels of the Imperial fleet to be dispatched to those shores the Yakutsk people are relieved from this service they may devote their energies to cattle-breeding, already established among them, and thus better their deplorable condition.

If your Excellency should find an annual dispatch of two such vessels, as suggested above, practicable, and if the two vessels, or one, as the

port of Petropavlovsk in April or May 1821. The first, having discharged at Sitka any cargo she may have for that place, will proceed in a northerly direction along the American coast to Kadiak, and if she does not receive there any special information in regard to foreign smugglers from the Manager of the Colonies of the Russian-American Company which may cause her to change her plans, she can continue her course in a westerly direction, and, after inspecting the shores of the Aleutian and Kurile Islands, return to the port of Petropavlovsk to winter there.

The other ship, after inspecting the eastern shores of the peninsula of Kamchatka as far as 62° north latitude, and the western shores of America from that meridian to the Island of Unalaska, will pay a visit to Kadiak, and thence proceed to Sitka, where she will winter.

The object of the cruising of these two armed vessels in the localities mentioned above is the protection of our Colonies and the prevention of the prohibited intercourse between the foreign ships on the one hand, and the Company's establishments and the native inhabitants on the other.

If in the following year, 1821, two more ships are sent from our Baltic ports, they should be able to relieve those dispatched in 1820 about May or June 1822, and the two ships first sent should be back in Russia about the middle of 1823.

By this arrangement two armed vessels would always be present in the Colonies founded by the Company for their protection, and, apart from other advantages, the officers of the Imperial fleet would have an excellent opportunity of improving by practice their knowledge of the art of navigation.

In communicating this proposal to your Excellency, I consider it superfluous to enumerate all the arguments in favour of these expeditions. The question of the expense which will be entailed by them must, however, be considered. It will have to be ascertained how much the equipping of these ships and the maintenance of their crews will cost the Treasury. Also, whether the aforesaid ships will be able to carry, besides provisions and stores sufficient to last them almost three years, a certain quantity of stores required for Kamchatka and Okhotsk, and what is the maximum weight of such stores they will be able to carry. There is another reason why this information would be useful.

The Governor-General of Siberia, in his Report on the wretched condition of the Yakut country, states that he believes that the chief cause of the poverty of that region is the system adopted for transporting Government stores and merchandize from Yakutsk to Okhotsk, and that, although it is true that the old arrangements for this transport service were in 1810 replaced by a system of contracts, nevertheless the Yakuts, who were almost ruined before this change took place, and whose cattle, moreover, are constantly visited by disease, are scarcely able to bear the heavy burden imposed on them by the transport service.

If your Excellency should consider it practicable to dispatch two ships annually as proposed above, and if, in addition to their own stores, they are

case may be, could take, in addition to their own supplies, a certain quantity of arms and ammunition for Okhotsk and Petropavlovsk, such a measure would relieve the suffering Yakutes, and at the same time afford a partial reimbursement of the Government's expense. [A force of soldiers and sailors should also be stationed at the two ports mentioned above, in order to fill all vacancies caused by death or otherwise in the commands of the cruising vessels.]

In thus laying before you my thoughts on the subject, I am permitted to state that they have received the highest consideration of His Imperial Majesty, and I can assure your Excellency that the proposition meets with the highest approval, and this matter is submitted to you now to enable you to consider the arrangements necessary to be made for the purpose of taking in due time action looking toward a renewal of the privileges and rights now enjoyed by the Russian-American Company under highest protection.

True copy.

(Signed) ZELENKIY,
Chief Clerk.

able to take some for the ports of Okhotsk and Petropavlovsk, this arrangement would be a great relief to the Yakuts, besides saving the Treasury considerable expense.

In order, however, to be able to judge better of this matter, it is necessary to ascertain what is the weight of the stores that are sent every year from Yakutsk to Okhotsk, so far as the Ministry of Marine is concerned, as well as the number of horses employed in transporting them during the last few years.

Having explained my views on this subject, I request your Excellency to be so good as to give your attention to what is stated above, and to favour me with your opinion thereon, in order that I may take it into consideration in connection with the proposals I am about to make in regard to the renewal of the regulations and privileges of the Russian-American Company under the protection of His Imperial Majesty.

A true copy:

(Signed) ZELENKIY,
Chief Clerk.

No. 2.

Letter from the Minister of Finance to the Board of Administration of the Russian-American Company. Written from St. Petersburg, April 10, 1820.

(Confidential.)

THE Report of your Board, dated 14th November, 1819, has, up to this time, remained unanswered, because the necessary information concerning the contracts concluded with the Englishman Pigot had not been received. Of this the Board spoke in its Report.

The information is now at hand, having been received on the 3rd ultimo. At the same time, I also received detailed statements of the appointment by the Government of Court-Councillor Dobello as resident agent on the Island of Manila, and of the propositions of this officer to dispatch a vessel from there to Kamchatka with provisions, in order to convince the Government how cheaply the country may be supplied from the Philippine Islands. Mr. Dobello also requested permission to dispatch from Manila to Cronstadt two ships with tea and other Chinese goods.

All these propositions were duly submitted to His Majesty the Emperor, and I have now received the following highest decision of His Imperial Majesty:—

1. That the contract entered into with the Englishman Pigot can not be sustained by the Government; but since the whaling industry may be of use as a means of securing subsistence to the inhabitants of Kamchatka and Okhotsk in case of failure in the fisheries, and as a basis for establishing a new branch of trade from which the Russian-American Company may derive considerable profit, His Imperial Majesty has most graciously deigned to turn his attention to this subject, and has expressed the opinion that for this purpose a ship should be employed, furnished with all necessary implements and instruments, and manned with the very best officers and sailors. To enable the Company to secure

No. 2.

(Copy.)

To the Board of Administration of the Russian-American Company.

*Ministry of Finance, Central Office,
(No. 9. Secret.) April 10, 1820.*

THE delay in replying to the letter from your Board of the 14th November last is due to the fact that information on the subject of the Agreement concluded with the Englishman Pigot, which was mentioned in that letter, was only received on the 8th ultimo.

This information was accompanied by particulars in regard to the appointment by the Government of "Court-Councillor" Dobello to reside on the Island of Manila, and the proposal of that official that a ship should be sent with provisions from that island to Kamchatka in the spring, in order to show the Government how cheaply provisions could be obtained from the Philippine Islands. Mr. Dobello also asked permission to send from Manila to Cronstadt two ships with cargoes of tea and other Chinese goods.

I reported on all these matters to the Emperor, and have received the following instructions from His Imperial Majesty:—

1. The agreement concluded with the Englishman Pigot is not approved by the Government; since, however, the whale-fishing industry may be of use as a means of assisting the inhabitants of Kamchatka and Okhotsk when the other fisheries fail, and as the foundation of a new branch of trade, from which the Russian-American Company may derive considerable profit, His Imperial Majesty desires that the Company may turn their attention to this subject, and employ one ship in fishing for whales, fitting her with all necessary appliances, and choosing the best officers and men; and in order that the best masters may be at the disposal of the Company in first establishing the industry,

skilled masters for inaugurating this enterprise, Mr. Dobello has been instructed to endeavour to obtain such, with the understanding that in addition to their salaries they shall be entitled to certain rewards and premiums, including 1 pound of oil from every whale or other marine animal killed by them.

2. The commander of the Government of Irkutsk is hereby instructed to forbid all foreigners, except such as have become Russian subjects, to enter the mercantile guilds or to settle in business in Kamchatka or Okhotsk; also to entirely prohibit foreign merchant-vessels from trading in these localities and from anchoring in any port of Eastern Siberia, except in case of disaster. (In such cases great care should be taken that no part of their cargo be discharged or sold to anybody, under pain of confiscation of the ship.) It is hereby ordered that the local authorities shall inform the Englishman Davis at Okhotsk and Dobello's agent in Kamchatka that the Government does not permit them to reside in those places, much less to erect buildings or other immovable property. In consideration of said prohibition, they will be awarded damages and afforded every facility on the part of the local authorities to dispose of their property and to take their departure. Mr. Dobello, however, is hereby instructed that the ship which he proposes to dispatch from the Philippine Islands to Kamchatka may, on this single occasion, take goods as well as provisions, and he shall be permitted to dispose of the same. But to prevent him from dispatching such vessels in the future, he is permitted to supply only Russian ships belonging to the Government or to our American Company, which may call at Manila for supplies.

3. Permission is denied to Mr. Dobello to dispatch two ships to Cronstadt with tea and other Chinese goods, since such operations do not accord with the views of the Government, and he is hereby informed that he has been and is now required only to furnish information as to the prices of Chinese goods at Manila, and as to what supplies and production from Eastern Siberia could be profitably disposed of there, to the end that all such information may be used for the benefit of our American Company in all its various commercial transactions.

Pursuant to this highest decision, I have already addressed the Governor-General of Siberia and the Minister of Foreign Affairs, and sent the necessary orders to Mr. Dobello; and now the following propositions are laid before the Board of Administration of the Russian-American Company:—

1. From the whaling industry on the eastern shores of Siberia the Government expects not only such advantages as have been pointed out by the Governor-General of Siberia and by the commander of the districts of Kamchatka in their communication, of which copies are herewith appended, but discovers in this industry the promise of special advantages to the Company, and therefore hopes that the Board of Administration will at once furnish the means necessary for taking the preliminary steps toward the inauguration of whaling in those waters, and proceed, without waiting for the information requested from Mr. Dobello, to inform itself concerning the engagement of experienced masters, &c. A ship should be purchased at once and dispatched in the following year, if it be found impossible to do so during the present.

Dobello shall be called upon to endeavour to obtain the services of such masters, who, in addition to the pay that may be agreed upon, shall each receive, as a premium, something for every pood of pure oil from the whales or other marine animals captured by them.

2. The authorities of Irkutsk are to be instructed not to allow any foreigner, unless he has become a Russian subject, to enter a merchant guild, or to settle at Kamchatka or Okhotsk, and they are not to permit any foreign merchant-vessel to trade at those places under any circumstances, or to enter the ports of Eastern Siberia except in case of distress, in which case such vessel is not to be allowed to unload any part of her cargo, or endeavour to dispose of it, under pain of confiscation of the ship and cargo. Furthermore, the Englishman Davis at Okhotsk and Dobello's agent in Kamchatka are to be informed, through your officials, that the Government refuses them permission to remain at those places, or to build houses or hold real property there; the local authorities shall afford them all proper facilities for disposing of their property and leaving the country. Mr. Dobello is to be informed that the ship which he proposes to send from the Philippine Islands to Kamchatka will be allowed to go there for this once, and that he may sell the merchandize and provisions which he may send by her; but that he must not send any more ships, and is in future to confine himself to loading Russian ships which are sent to Manila for provisions and merchandize, by order of the Government or of our American Company.

3. Mr. Dobello is refused permission to send two ships to Cronstadt with tea and other Chinese goods. Such a proceeding would not be in harmony with the views of the Government; moreover, all that has ever been or that is now asked of Mr. Dobello is, that he shall report what are the prices of Chinese goods at Manila, and what products of Eastern Siberia could be profitably sold there, in order that this information may be made use of by our American Company in all its various commercial operations.

In accordance with His Imperial Majesty's instructions, I have already addressed a letter to the Governor-General of Siberia, and the Acting Minister of Foreign Affairs has communicated with Mr. Dobello. I now have to state as follows to the Board of Administration of the Russian-American Company:—

1. The Government not only expects from the whale-fishing industry on the eastern shores of Siberia those advantages which the Governor-General of Siberia and the Superintendent of Kamchatka have represented in their Reports, of which copies are inclosed, but also considers that this industry will be profitable to the Company. It therefore hopes that your Board will not fail to take steps for the establishment of the industry with as little delay as possible, and suggests that, without waiting for Mr. Dobello's reply, you should make inquiry for masters skilled in whale fishing, and take steps for the purchase of a ship suitable for this work, which should be sent to its destination, if possible, this year, but in any case not later than next year.

2. Having, for the benefit of the American Company, excluded all foreigners from Kamchatka and Okhotsk, and prohibited them from engaging in trade [and from hunting and fishing in all the waters of Eastern Siberia], the Government fully expects that the Company, on its part, will hold itself responsible for supplying those regions with all necessities. In connection with this requirement, and in consideration of a request from the Governor-General of Siberia, the Board of Administration will report on the following points:—

(a.) As to the means by which communication can be maintained between Yakutsk and Okhotsk without oppression of the Yakut people.

(b.) Whether the Company can undertake to land at the ports of Petropavlovsk and Okhotsk provisions, especially flour and salt, from their correspondents in California or the Philippine Islands, in such quantities as may be required by the Government forces and officials and by all other inhabitants, employing for this purpose a ship which must visit the places named at least once a-year and at a time previously fixed; also as to the probable cost of provisions, prices of freight, &c.

(c.) To propose measures for a development and increase of the fishing industries for the benefit of the native population of Kamchatka and Okhotsk.

(d.) Whether the Company can undertake to furnish the districts of Kamchatka and Okhotsk with all the necessary articles of trade which the inhabitants now receive from Irkutsk, and at what prices.

3. In refusing permission to Mr. Dobello to dispatch ships loaded with tea and Chinese goods, the Government had in view the avoidance of any complications which might interfere with the full enjoyment by the Russian-American Company of its privileges granted by Imperial Ukase, not only in connection with the trade in teas across the Chinese border at Kiakhta, [but also in connection with the exclusive rights of trade and navigation in all the waters adjoining the Siberian as well as the American possessions of Russia, and all interior waters connected therewith]. For this purpose Mr. Dobello was requested to furnish detailed information of the trade and commerce at the Philippine Islands, [in order to relieve the Company of the necessity of employing foreign ships and masters for this trade which involves their admission to waters reserved for the exclusive use of the Russian-American Company under its charter.

In conclusion, it is stated as the decision of His Majesty the Emperor, in view of possible future complications of this nature, that no contracts involving the admission, free navigation, or trade of foreign ships and foreign subjects in the waters adjoining or bounded by the coasts of the Russian

2. Having, for the benefit of the American Company, excluded all foreigners from Kamchatka and Okhotsk, and forbidden them even to come to those places to trade, the Government expects that the Company, on its part, will assist in providing those places with all necessities; and in view of the fact that the Governor-General of Siberia has more than once represented the necessity of relieving the Yakuts of the obligation of transporting stores by land from Yakutsk to Okhotsk, your Board is called upon to consider and report:—

(a.) By what means it would be possible to establish communications between Yakutsk and Okhotsk without imposing a burden on the Yakuts.

(b.) Whether by establishing communications with California or the Philippine Islands the Company could supply the ports of Petropavlovsk and Okhotsk with provisions, especially flour and salt, both for its own officials and for those of the Government, as well as for the other inhabitants, employing for this purpose one ship which would remain in that part of the world, and be made use of for this service every year. The Board should not omit to consider whether the cost of keeping a ship employed on this service would not make it necessary to charge excessive prices for the provisions brought by her.

(c.) Whether the Company cannot suggest measures which would increase the productiveness of the fishing industry by which the poor inhabitants of Kamchatka and the people round Okhotsk are chiefly supported; and, lastly—

(d.) Whether the Company can supply the inhabitants of Kamchatka and Okhotsk with such articles as are indispensable to them. They are now brought from Irkutsk, and extravagant prices are charged for them, so that the people, instead of having their wants provided for, are being ruined.

3. In refusing to allow Dobello to dispatch two ships with tea and other Chinese goods, the sole object of the Government has been to prevent anything which might interfere with the regular course of our Kiakhta trade. If, however, the Russian-American Company is able to obtain Chinese goods in the Philippine Islands in exchange for wares which it cannot dispose of profitably at Kiakhta, there is no reason why it should not carry on such a trade. As the Company is itself engaged in the Kiakhta trade, it will take care not to injure its own interests, which are closely connected with that trade, by the sale of goods imported by sea. Mr. Dobello has therefore been requested to supply detailed information on the subject of the trade with the Philippine Islands, in order that it may be ascertained whether the Company can profitably exchange at Manila for Chinese or other goods the furs which it cannot dispose of at Kiakhta.

In conclusion, I have to inform your Board that the reason why the Spanish Government have declined to recognize "Court-Councillor" Dobello as Russian Consul is that the Court of Madrid consider it not in harmony with their colonial system that foreign countries should have Consuls in their Colonies. Permission has, how-

Colonies will be approved by the Imperial Government.

The Board of Administration of the Russian-American Company is hereby informed that Court-Councillor Dobello has not been recognized as Russian Consul by the Spanish Government, because the Court of Madrid declares it to be contrary to its colonial system to admit foreign Consuls to its Colonies; but having acquiesced in his residence at Manilla and in his exercise there of the duties of agent, it is now understood that the object of his appointment was only to assist vessels of the Russian-American Company visiting Manilla in purely commercial transactions.

(Signed) Count D. GURIEFF,
Minister of Finance.
Count YAKOV LAMBERT,
Privy Councillor.

ever, been given to him to reside at Manilla, and to discharge there all the ordinary duties of a Consul. The only object for which Mr. Dobello was sent to Manilla was to assist our American Company in every way he could, and he has been reminded of this in the instructions which have just been sent to him.

(Signed) Count D. GURIEFF,
Minister of Finance.
Count YAKOV LAMBERT,
Privy Councillor.

No. 3.

Letter from the Board of Administration of the Russian-American Company to Captain M. I. Muraviev, of the Imperial Navy, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, April 23, 1820.

(No. 265. Confidential.)

ON the 10th instant the Minister of Finance communicated to the Board of Administration, in a message marked confidential, the will of His Imperial Majesty in the following words:—

1. That the contract concluded with the Englishman Pigott is disapproved by the Government.

2. That the Governor of Irkutsk be instructed to allow no foreigners, except such as have become Russian subjects, to join in any commercial guild or to settle in Kamchatka or Okhotsk; also to strictly prohibit all foreign mercantile vessels from visiting these points, or trading in any of the ports of Eastern Siberia, except in case of disaster, when the strictest vigilance must be exercised to prevent the disposal of any of the vessel's cargo, under pain of confiscation of both ship and cargo. At the same time, the Englishman Davis at Okhotsk and Dobello's Agent at Kamchatka must be informed that the Government does not permit them to reside at those places, much less to acquire houses or other immovable property. The local authorities are instructed to allow them damages for the immediate disposal of what property they have already acquired, and to see to their immediate departure. Mr. Dobello is to be informed that the ship he has proposed to dispatch from the Philippine Islands to Kamchatka with provisions and articles of luxury will not be allowed to visit Kamchatka unless it be transferred to the ownership of a Russian subject, preference to be given to the Russian-American Company operating under highest protection.

3. Permission is also denied to Mr. Dobello to dispatch any ships to Kronstadt with teas or other Chinese goods, such transactions being in direct conflict with the views of the Government. He is also informed that no further intercourse is possible between him and the authorities of

No. 3.

From the Board of Administration of the Russian-American Company under the protection of His Imperial Majesty to Captain Matvei Ivanovitch Muraviev, of the Imperial Navy, Chief Manager of the Colonies of the Russian-American Company.

(No. 265. Secret.)

IN a letter dated the 10th instant and marked "Secret," the Minister of Finance informed this Board that His Imperial Majesty has directed as follows:—

"1. The Agreement concluded with the Englishman Pigott is not approved by the Government.

"2. The authorities at Irkutsk are to be instructed not to allow any foreigner, unless he has become a Russian subject, to enter a merchant guild, or to settle at Kamchatka or Okhotsk; and they are not to permit any foreign merchant-vessel to trade at those places under any circumstances, or to enter the ports of Eastern Siberia, except in case of distress, in which case such vessel is not to be permitted to unload any part of her cargo or endeavour to dispose of it, under pain of confiscation of the ship and cargo. Furthermore, the Englishman Davis at Okhotsk and Dobello's agent at Kamchatka are to be informed through the same officials that the Government refuses them permission to remain at those places, or to build houses or hold real property there; and the local authorities shall afford them all proper facilities for disposing of their property and leaving the country. Mr. Dobello is to be informed that the ship which he proposes to dispatch from the Philippine Islands to Kamchatka will be allowed to go there for this once, and that he may sell the merchandise and provisions which he may send by her; but that he must not send any more ships, and is in future to confine himself to loading Russian ships which are sent to Manilla for provisions and merchandise, by order of the Government or of our American Company.

"3. Mr. Dobello is refused permission to send two ships to Kronstadt with tea and other Chinese goods. Such a proceeding would not be in harmony with the views of the Government; moreover, all that has ever been, or that is now, asked of Mr. Dobello is that he shall report what

Eastern Siberia, and that even if supplies should be needed from Manila or any other adjacent foreign country, such transactions would be intrusted to the hands of our American Company.

Having informed you of these highest views, the Board of Administration adds the following explanation:—

The contract which was disapproved by the Imperial Government was concluded by Pigott on the 18th June, 1819, for a period of ten years by Mr. Riccord, Commander of the Kamchatka district, and Court-Councillor Dobello on behalf of the Government, parties of the first part, and the above-named Englishman Pigott on behalf of himself and his partners, Davis, Ebbets, and Meek, captains of American merchant-vessels, of the second part, for the purpose of whaling and hunting marine animals for their turs and oil on the coasts of Kamchatka and of Eastern Siberia, in the harbours, bays, and straits, and on the islands, for their own benefit and profit, without any duty or royalty, and with the privilege of carrying the Russian flag, and with the additional privilege of fishing and of shipping the catch from Kamchatka on payment of 50 kopeks per pound on salted fish. This contract was naturally considered by the Government to be injurious to the interests of the Company, since all the benefits accrued to foreigners, and no provision was made to protect the native inhabitants of those regions who depend for their principal means of subsistence upon fish, which under this contract would have been carried away by foreigners before their longing eyes.

Having thus reached the conviction that the real object of these scheming foreigners, with whom it appears that Dobello was allied on terms of intimacy, was not only to obtain the privilege of killing whales and of trying out their blubber, or the chase of other marine animals which frequent our waters that wash the coasts of Eastern Siberia, but rather to gradually obtain control over our Kurile and Aleutian Islands for the purpose of hunting sea-otters and fur-seals, which object, had it been obtained, would have crippled the Russian-American Company, the Board of Administration expresses the following opinion:—

As soon as the Imperial Government ascertained that the contracts made were in open violation of the privileges granted the Company, it prohibited at once all foreigners not only from settling in Kamchatka or Okhotsk, but also from all intercourse with those regions, enjoining the authorities to maintain the strictest surveillance over their movements. Basing your own action upon this proceeding on the part of our Highest Protector, you as Commander of all our Colonies must prohibit with equal strictness all foreigners from engaging in any intercourse or trade with native inhabitants, [as well as from visiting the waters frequented by sea-otters and fur-seals, over which our operations extend,] under the penalty of the most severe measures, including the confiscation of ships and the imprisonment of crews engaged in this illegal traffic. You must act with the greatest severity in cases where

are the prices of Chinese goods at Manila, and what products of Eastern Siberia could be profitably sold there, in order that this information may be made use of by our American Company in its various commercial operations."

In informing you of His Imperial Majesty's decision, the Board wishes to make the following observations:—

The Agreement with Pigot which has not been approved is the Agreement concluded on the 18th June, 1819, for ten years between the Superintendent of Kamchatka, Mr. Riccord, and "Court-Councillor" Dobello, in the name of the Government on the one hand, and the aforesaid Englishman Pigot on the other hand, for himself and for his partners, Davis, Ebbets, and Meek, captains of American merchant-vessels, with reference to fishing for whales and extracting oil from these and other marine animals on the shores of Kamchatka and on those of all Eastern Siberia, in the harbours and bays and amongst the islands, for their own benefit and free of all duties, with permission to fly the Russian flag, and also with reference to catching fish to export from Kamchatka, a duty of 50 kopeks to be paid on every pound of fish taken and salted by them. This Agreement, it appears, is considered by the Government a mischievous one, because it contains no provision that would benefit the inhabitants of Kamchatka and Okhotsk, and, moreover, the people of Kamchatka, who are often in want of fish on account of the scarcity of salt and the want of fine days for drying the fish, would very likely be deprived, under the Agreement, of 30,000 pounds of fish a-year, which would be caught and carried off by the above-mentioned foreigners.

Having discussed the scheme, which has very properly been rejected, of the crafty and enterprising foreigners, with whom Dobello appears to be closely allied as a result of his long acquaintance with them, and who, if they had been given permission to catch whales and other marine animals and to extract their oil, would have brought numbers of ships manned by all kinds of crews, and would have frequented not only the harbours and bays of Eastern Siberia, but also our Kurile and Aleutian Islands, solely for the purpose of taking sea-otters and seals—by which operations they would have ruined the Russian-American Company—the Board will now explain its views with regard to these various matters.

In view of the fact that the Government has perceived that these schemes would have done much harm to the Company, and has prohibited foreigners not only from settling, but also from trading, at Kamchatka and Okhotsk, where there are established authorities, and where a surveillance can be exercised, it is your duty, as the Manager of the Colony, to use your best endeavours to carry out His Imperial Majesty's orders, by strictly prohibiting the foreigners who may visit the Colony from engaging in a traffic with the Indians, and, in case any of them violate the Regulations, not to be afraid to arrest the bold adventurers and seize their ships, if they carry on a traffic injurious to the Company's interests at places, or on islands, occupied by it, and especially if they supply the Indians with arms, powder, and lead. You should not even allow them to enter your ports unless you find

ORIGINAL TRANSLATION.

foreigners have sold to the natives arms, powder, and lead. They must be made to understand that [their presence in our waters is contrary to our laws, and that] they will never be admitted to any port unless you or your subordinates convince yourselves that such is necessary for the saving of life. In a word, you must preserve an attitude in full accord with the views of the Imperial Government on this subject, [and protect against all intruders the domain of land and water granted to us by the grace of the Emperor, and necessary for our continued existence and prosperity.]

You must transmit these instructions without delay to your subordinate commanders for their conduct in their intercourse with foreigners, and especially to the commanders of ships navigating our waters, [to enable them to drive away the foreign intruders].

The communication from the Minister of Marine also contained a copy of a letter from the present Governor-General of Siberia, embodying many suggestions and opinions of advantage to the Company. Of this document the Board of Administration forwards a copy for your guidance, to enable you to act for the best interests of the Company.

(Signed) MICHAEL KISSELEF,
VENEDICT KRAMER,
ANDREI SEVERIN,
Directors.

April 23, 1820.

P.S.—We hereby inform you that the Government has decided to dispatch two ships around the world during the present summer; one to winter in Kamchatka, and the other to proceed to Sitka and to cruise in search of foreign vessels.

REVISED TRANSLATION.

it necessary to buy something from them which the Company urgently requires. In a word, you should adopt towards these adventurous traders such an attitude as it is proper for the Governor of all the places occupied by the Company to assume.

Do not fail to instruct the authorities under you how to deal with foreigners coming to your shores. Special instructions should be given to the Commanders of our ships which are detached to the various points with regard to the action they are to take if they find anywhere foreign ships engaged in illicit trading.

The Minister inclosed in his letter a communication from the Governor-General of Siberia, which contains much that is of use to the Company. The Board incloses a copy of this for your guidance in the management of the Company's affairs.

(Signed) MICHAEL KISSELEF,
VENEDICT KRAMER,
ANDREI SEVERIN,
Directors.

(Signed) ZELENISKY,
Chief Clerk.

April 23, 1820.

P.S.—We have to inform you that the Government has decided to send two ships round the world this summer; the one is to winter at Kamchatka, and the other at Sitka after driving away the foreign adventurers.

M. K.

No. 4.

Letter from the Board of Administration of the Russian-American Company to Captain M. I. Muraviev, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, March 31, 1821.

YOUR two letters from Okhotsk of the 26th and 28th July have been received by us with satisfaction, but with still greater pleasure we read your just remarks relating to various subjects intimately connected with the Company's interests. For this we render you our most sincere thanks, wishing you at the same time a safe arrival at your destination and good health, and that you may always retain at heart the best interests of our Company.

Your remarks to Mr. Riccord can not, we think, have been very acceptable to that gentleman. From the copy herewith inclosed of communications from the Ministries, you will see that the Imperial Government not only repudiates Messrs. Riccord, Dobello, and Pigott, but also prohibited them altogether from trading in Okhotsk and Kamchatka, with the result that to-day the foreigners have abandoned their enter-

No. 4.

*St. Petersburg,
March 31, 1821.*

(No. 225.)

Dear Captain Muraviev,

WE were very glad to receive your two letters from Okhotsk, dated respectively the 26th and 28th July, and it gave us special pleasure to read your very just remarks on many subjects which interest the Company. We thank you heartily, and hope your stay in the Colonies may be a pleasant one, and that you may enjoy good health. We trust that we may always see in you a benefactor of the Company.

What you said to Mr. Riccord cannot have been very pleasant to that gentleman. You will see from the inclosed copy of a letter from the Ministry, that our Government has not only put an end to the schemes of Messrs. Riccord, Dobello, and Pigott, but has even prohibited them from trading at Okhotsk or Kamchatka, by compelling the foreigners now residing at those places to leave them, and by forbidding foreigners to visit

prise in that region, and no other foreigners will be allowed to visit these places in the future. The principles involved in this action of the Government you must also observe in dealing with foreigners who may visit our Colonies, using all the force at your command to drive them from our waters. Together with our new privileges, which have already been promulgated by the Minister, and which are only awaiting the return of our Monarch, we shall also receive definite instructions how to deal with foreigners who venture to cross the limits of possessions acquired long ago through Russian enterprise and valor.

From the same Ministerial documents you will see that the Company has been urged to engage in the whaling industry, and the necessary experiments will be entered into at once, though we know beforehand that no great profits will accrue to us therefrom, since Kamchatka and Okhotsk are districts very thinly populated, affording but an insignificant market for whale oil, and we could not sell it anywhere else. In these documents you will also find that the Government desires the Company to supply Kamchatka and Okhotsk with breadstuffs, but this we are compelled temporarily to decline. When the "Borodino" called at Manila, there appeared to be no market for the articles of Russian manufacture which, in Dobello's opinion, could be sold there with profit: on this matter, however, you must be fully informed through our officers, who must have reached you long ago, and who it is to be hoped are now on their return voyage. There only remains the hope of obtaining bread from California, if the Missions there have not been abolished. Your information on this point has been gratifying to us.

Upon all the questions submitted by Mr. Yanovsky, we have embodied our decisions in despatches already forwarded to you, accompanied by copies of all papers for use in case of loss of the originals which were sent on the "Borodino."

During the present year no naval vessel has been dispatched around the world for the protection of our Colonies, but now two ships are being fitted out to the command of which Tulubief and Filatof have been appointed, the former being in charge of the squadron. You will, therefore, have an ample force patrolling our waters and protecting our interests. In addition, we send you the brig "Kurik," commanded by Master Klotchhoff. The brig is to return to us after cruising in colonial waters. In the accompanying newspapers and journals forwarded by the "Kurik," with the additional despatches, you will learn the state of affairs in Europe and in other countries.

Renewing our wishes for your prosperity and good health, we have, most gracious Sir, the honor to remain, with the most sincere friendship and respect,

Your very humble servants,

(Signed) MICHAEL KISSELEF,
VENEDICT KRAMER,
ANDREI SEVERIN.

them in future. It will be your duty to act upon this Order of the Government, and to do your best to prevent foreigners from visiting our Colonies. As soon as our new Charter, which has already been drawn up at the Ministry, and is only awaiting the return of His Imperial Majesty, has been sanctioned, we shall have Regulations showing us how to deal with foreigners who may cross the limit of our jurisdiction, and then it will be your duty to put these Regulations in force.

You will see from the letter from the Ministry that the whaling industry has been handed over to the Company. We shall try the experiment in due course; but we can tell beforehand that it will not be a profitable business, for Kamchatka and Okhotsk, being thinly populated regions, will consume very little oil, and there is nowhere else where we could dispose of it. You will see from the same letter that the Government wants the Company to supply Kamchatka and Okhotsk with breadstuffs, but this we are obliged for the moment to decline to do, as it is impossible, in view of the fact that when the "Borodino" was at Manila, she found she could not dispose of various goods which Dobello said would sell very profitably there. You will have heard all the details of these matters from our officers, who, we trust, have long since reached the Colonies, and who may, perhaps, be already on their way home. The only place where we can hope to obtain breadstuffs is California, that is to say, if the Missions there have not been destroyed. We await news from you on this subject, which will either give us pleasure or cause us regret, as the case may be.

We have replied to all the questions put to us by Mr. Yanofsky in the despatches which have been sent to you, and which were accompanied by copies of the papers sent by the "Borodino," in case the originals were lost.

Last year no Government vessel was sent round the world to protect our Colonies; now two are being sent out under the command, respectively, of Tulubief and Filatof, the former being the senior officer; and we are about to send out to you the "Kurik," under the command of Lieutenant Klotchhoff. The brig is to return home after visiting the Colonies.

You will get all the European news from the papers we are sending out to you by the "Kurik," and we shall send you another letter by her.

With all good wishes, &c.

(Signed) MICHAEL KISSELEF,
VENEDICT KRAMER,
ANDREI SEVERIN.

Letter from the Board of Administration of the Russian-American Company to Captain M. I. Muraviev, of the Imperial Navy, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, August 3, 1820.

IN order to enable you to issue your instructions to the various offices and to the managers of the Islands of St. Paul and St. George, as well as for your own information, we inclose herewith a statement of the views entertained by the General Government, as well as by the management of the Company. You will perceive from this statement that we, as well as the Government, do not countenance any intercourse with foreigners, for the admission of foreigners within the precincts of our possessions, except in case of absolute necessity. Heretofore, all such transactions have generally resulted in serious losses to us, [and the very presence of foreigners in our waters has become a vital question, affecting the existence of the Company.] The Board of Administration expects you to exercise the utmost vigilance on this subject, and to warn all district commanders against any intercourse with foreigners. To enable you to comply with these instructions more strictly, we shall henceforth dispatch every year a ship with supplies for the Colonies.

(Signed) VENEDICT KRAMER,
Director.
ANDREI SEVERIN,
Director.

Inclosure in No. 5.

Orders from the Russian-American Company to its Kadiak Office, August 3, 1820.

(No. 426.)

THE deceased Baranof was frequently instructed to abstain as far as possible from all intercourse with the foreigners visiting our Colonies, and also to inform the subordinate officers at Kadiak, Unalaska, and the seal islands on this subject. Now it has been decided to dispatch annually to the Colonies a ship loaded with all supplies needed for the maintenance of the people, ships, &c. In the years 1816 and 1819 the ships "Kutuzof" and "Borodino" were dispatched with valuable cargoes, and during the present year the "Kutuzof" will be again dispatched; consequently, there will be no necessity for dealing with foreigners in the matter of supplies. It is the desire of His Majesty the Emperor, which has been communicated to our Company, that all such intercourse should cease, and that the benefits arising from the possessions acquired by Russia on the coasts of Asia and America should accrue wholly to the benefit of Russian subjects, and especially to our Company under its Imperial Charter. The Imperial Government has also issued orders to expel from Okhotsk and Kamchatka all foreigners who come there for the purpose of trade; as well as to abstain henceforth from all intercourse with any foreigners who may hereafter visit those shores. [For the sake of preserving intact our valuable privileges in the

From the Board of Administration of the Russian-American Company under the Protection of His Imperial Majesty to Captain Matvei Ivanovich Muraviev, Chief Manager of the Colonies of the Russian-American Company.

(No. 430.) August 3, 1820.

IN order that you may be informed of the tenor of the instructions issued to all the colonial stations and to the managers on the Islands of St. Paul and St. George, we herewith transmit a copy of those instructions, and hope that, as you know the aims of the Company and the Government better than the other officers, you will do your best to carry out the wishes of the Board, and will not have any dealings with the foreigners, unless you are absolutely compelled to have recourse to them to obtain something which is indispensable to you. Such dealings have always hitherto been unprofitable, inasmuch as the prices they give for furs are very much lower than those which obtain in Russia. The Board trusts that you will take care that these instructions are carried out by the authorities of all the stations, more especially as there appears to be no necessity for these dealings, as, in future, ships belonging to the Company are going to be sent to the Colonies regularly every year with large cargoes.

(Signed) VENEDICT KRAMER,
Director.
ANDREI SEVERIN,
Director.

Inclosure in No. 5.

Instruction addressed by the Board of Administration of the Russian-American Company under His Imperial Majesty's Protection to its Office at Kadiak.

(No. 426.)

THE late Mr. Baranof was more than once directed to abstain, as far as he possibly could, from having any dealings with the foreigners who come to our Colonies, and to instruct the officers at Kadiak and Unalaska and the managers on the seal islands to adopt the same course. Moreover, now that it has been decided, in future, to send to the Colonies every year a ship with all that is wanted in the way of provisions, tackle, &c., and in view of the fact that the "Kutuzof" and "Borodino" were sent out in 1816 and 1819 with large cargoes, and that, in accordance with the decision above referred to, the "Kutuzof" is to be sent out a second time, not only is there no necessity for having dealings with the foreigners, but the Government, who have given orders for those who have come to Okhotsk and Kamchatka to trade to be sent away, and for no others to be allowed to come there, have so clearly stated their wishes in the matter, that you must not even think of trading with these foreign visitors who offer certain articles of luxury, which the Colonies can very well do without, in exchange for furs for which high prices can be obtained in the Canton market. Your Office is, therefore, strictly prohibited from parting with any furs whatever to the foreigners in exchange for other goods. You should ask the Offices at Novoarkh-

waters over which our trade and industry extends,] we may well dispense with such articles of luxury as the foreigners endeavor to make us purchase from them. Consequently, each commander of a station will be held strictly responsible for the slightest infraction of these rules, or the most trivial transactions between foreigners and the people in his charge. In cases of necessity, protection will be afforded by the Commanders of New Archangel and of Okhotsk.

August 3, 1820.

angelsk or Okhotsk for anything you may require.

August 3, 1820.

No. 6.

Letter from the Board of Administration of the Russian-American Company to Captain-Lieutenant and Knight M. I. Muraviev, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, March 15, 1821.

MR. YANOVSKY, in his Report under date of the 25th February, 1820, No. 41, describing his inspection of the fur-seal industry on the Islands of St. Paul and St. George, remarks that every year a greater number of young bachelor seals is being killed, while for propagation there remained only the females, sekatch,* and half sekatch.† Consequently, only the old breeding animals remain, and if any of the young breeders are not killed by autumn they are sure to be killed in the following spring. From this it naturally results that the industry decreases every year in volume, and that in course of time it may be extinguished entirely, as can clearly be seen from experiments made. In order to avert such disaster, it would be to our great advantage that for one year no seals at all should be killed. Then strict orders should be issued that the annual take of seals should not exceed 40,000 on St. Paul and 10,000 on St. George. Mr. Yanovsky thinks that under such rules the fur-seal will not continue to diminish. The Board of Administration of the Company, while acknowledging the justice of these remarks, would desire that these measures be employed only in case of a failure to discover other seal rookeries on islands to the northward and southward of the Aleutian chain, which it is hoped to discover. In the meantime, on the Islands of St. Paul and St. George, every third year the first "prival"‡ only should be worked on one of the islands, in turn. For instance, if on one island the first "prival" is spared, killing from this "prival" is done on the other; and, again, when a period of rest is observed on the second island, all three "privals" are worked on the first island to make up the annual catch determined upon for both islands. In this way the people will not be idle during any year, since they can easily be carried to whichever island is designated for working all three "privals."

If, however, the islands to the northward are discovered, and are found to be available for sealing, we may, in conformity with Mr. Yanovsky's opinion, instruct the officials of St. Paul and St. George to work them every fifth year, limiting the annual catch in the interval on St. Paul Island

* Bulls.

† Young bulls.

‡ The word "prival" means the larger waves of an incoming tide, and it is used upon the assumption that the seals are landed upon the islands in three distinct waves or "privals." The meaning of the text is not quite clear at this point.

No. 6.

From the Board of Administration of the Russian-American Company, under the Protection of His Imperial Majesty, to Captain Matvei Ivanovitch Muraviev, &c., Chief Manager of the Russian American Colonies.

(No. 175.)

IN his Report No. 41 of the 25th February, 1820, Mr. Yanovsky, in giving an account of his inspection of the operations on the Islands of St. Paul and St. George, observes that every year the young bachelor seals are killed, and that only the cows, "sekatch," and half "sekatch" are left to propagate the species; it follows that only the old seals are left, while, if any of the bachelors remain alive in the autumn, they are sure to be killed the next spring. The consequence is, that the number of seals obtained diminishes every year, and it is certain that the species will in time become extinct.

This view is confirmed by experience. In order to prevent the extinction of the seals, it would be well to stop the killing altogether for one season, and to give orders that not more than 40,000 are ever to be killed in any one year on the Island of St. Paul, or more than 10,000 in any one year on the Island of St. George.

Mr. Yanovsky considers that, if these measures are adopted, the number of seals will never diminish. The Board of Administration, although they concur in Mr. Yanovsky's view, have decided not to adopt the measures proposed by him unless it is found that there is no migration of seals to the two small islands which are believed to exist to the south and north of the chain of islands; they have decided in the meantime that every fourth season the first batch of seals arriving at the Island of St. Paul shall be spared, and the same in the case of the Island of St. George. The following arrangement should be adopted. During the season when the first batch is to be spared on the Island of St. Paul, the killing of all three batches of seals should go on on the Island of St. George, and conversely. Not more than 40,000 seals should be killed on the Island of St. Paul, or more than 10,000 on the Island of St. George, in any one year. If this arrangement is adopted, the men will never be idle; for when the time comes for one batch to be spared on one island they can all go to the other, where all three batches are to be killed. If the small islands supposed to exist to the north are discovered, and are found to be visited by seals, you should, as suggested by Mr. Yanovsky, give instructions for the employees of the Company on St. Paul and St. George to go and kill seals there every sixth year, and to continue to kill 40,000 on St. Paul and 10,000 on St. George

to 40,000 and on St. George to 10,000. We must suppose that a total suspension of killing every fifth year will effectually stop the diminution of the fur-seals, and that it will be safe at the expiration of the close season to resume killing at the rate mentioned above. By strict observance of such rules, [and a prohibition of all killing of fur-seals at sea or in the passes of the Aleutian Islands,] we may hope to make this industry a permanent and reliable source of income to the Company, without disturbing the price of these valuable skins in the market. Great care must be taken to prevent the burning of skins subjected to artificial drying. This process must not be resorted to with salt wood (driftwood), and if no other can be obtained, the greatest care must be taken to regulate the fires. The non-observance of strict rules upon this point has already been the cause of losses to the Company, amounting to millions of rubles. The latest shipments of fur-seals to Russia were in fair condition, consequently we may hope that equal care will be taken in the future. When you visit the islands you will make such arrangements as in your judgment will prove beneficial to both the Company and the natives employed. If, from unforeseen circumstances, you should be prevented from visiting the islands in question, be sure to send a trustworthy representative who will impress upon officials as well as employes that our Rules for preserving these valuable animals must be observed.

With the greatest respect, we are, your Excellency's humble servants,

(Signed) MICHAEL KISSELEF,
VENEDICT KRAMER,
ANDREI SEVERIN,
*Directors of the Russian-American
Company.*

every year. At the end of every five years, the killing should cease on St. Paul and St. George for one year, for the propagation of the species; during that year the catch on the small islands to the north will indemnify the Company for what it loses on St. Paul and St. George; and the following year the usual operations will be resumed, and 40,000 seals killed on St. Paul and 10,000 on St. George.

These measures will preserve the fur-seal industry and advance the best interests of the Company by preventing the price of the furs from falling in the market. Great care should also be taken that the skins are not spoiled by excessive drying in ovens, if the adoption of that method is sometimes made necessary by persistent bad weather; the managers of the islands should be very careful that the ovens are not over-heated, and should be called upon to pay for any skins that are made useless for export. The Company have, in former times, lost about a million roubles in this manner. The furs brought to Russia latterly have been fairly well prepared, and it is to be hoped that this improvement will continue. The Board would be glad if, when you next go to the islands, you would suggest any measures which you think would tend to improve the fur-seal industry; should it, however, be impossible for you to visit the islands at present, you will lose no time in giving orders for the Rules laid down by this Board to be applied forthwith.

(Signed) MICHAEL KISSDLEF,
VENEDICT KRAMER,
ANDREI SEVERIN.

(Signed) ZELENSKY,
Chief Clerk.
March 15, 1821.

No. 7.

Letter from the Board of Administration of the Russian-American Company to Captain-Lieutenant M. I. Muravief, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, September 7, 1821.

THE Board of Administration having received a copy of the Rules for the limits of navigation and communication along the coast of Eastern Siberia, the north-west coast of America, the Aleutian, Kurile, and other islands [and the intervening waters,] established and confirmed by His Majesty the Emperor, and transmitted to the Governing Senate for promulgation and publication, we hereby send you one stamped copy for your guidance and observance. These Rules and Regulations will be translated into the English and French languages, and as soon as these translations have been received we shall endeavour to forward them to you by one of the naval vessels.*

(Signed) VENEDICT KRAMER,
Director.
ANDREI SEVERIN,
Director.

No. 7.

From the Board of Administration of the Russian-American Company under His Imperial Majesty's Protection to Captain Matvei Ivanovitch Muravief, &c., Chief Manager of the Russian-American Colonies.

(No. 510.)

I TRANSMIT herewith, for your information and guidance, a printed copy which has been received by this Board of the Rules with regard to the limit of navigation and the order of communication by sea along the shores of Eastern Siberia, of North-Western America, and of the Aleutian, Kurile, and other islands which have been sanctioned by His Majesty the Emperor, and communicated to the Ruling Senate for publication. These Rules will be translated into English and French, and if this Board can obtain copies of the English and French versions, they shall be sent to you by one of the Imperial ships.

(Signed) VENEDICT KRAMER,
Director.
ANDREI SEVERIN,
Director.

(Signed) ZELENSKY,
Chief Clerk.
September 7, 1821.

* The Rules referred to are the Ukase of 1821. (See vol. I, p. 16.)

Letter from the Board of Administration of the Russian-American Company to Captain-Lieutenant of the Imperial Navy and Knight M. I. Muraviev, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, September 20, 1821.

THE Minister of Finance, his Excellency Count Dmitri Alexandrovitch Guryef, under date of the 18th instant, has informed the Board of Administration of the Company that His Imperial Majesty, on the 13th day of the present month, has most graciously deigned to consider in private council the propositions submitted by his Excellency of granting anew to the Company its rights and privileges for a period of twenty years. A new set of Rules and Regulations were also taken under advisement, and the subsequent action, as evinced by the Imperial Edict, furnishes proof of the sincere anxiety on the part of the Imperial Government to assist all praiseworthy and patriotic enterprises, such as that represented by our Company, and to extend over them its highest protection. Our august Monarch is ready to do all in his power to further the efforts of the Russian-American Company in spreading civilization and Christianity in the most distant possessions of Russia, promising at the same time to secure to the Company its well-deserved profits and advantages.

The Board of Administration of the Company has received the Edict and accompanying Regulations as promulgated by the Directing Senate, and ten copies of these documents with the seal of the Company affixed are herewith inclosed.

[With this precious Act in your hand you will be enabled to assume a new position, and to stand firmly opposed to all attempts on the part of foreigners to infringe upon our rights and privileges. In accordance with the will of His Imperial Majesty, we will not be left to protect unaided the land and waters embraced in our exclusive privileges. A squadron of naval vessels is under orders to prepare for a cruise to the coasts of North-eastern Asia and North-western America. In your dealings with foreigners you will act especially under the provisions of the following paragraphs contained in the new Regulations: 35, 39, 41, 43, 44, 46-49, 51, 52, 53, 55-60, 62, 64, 67-70. [These paragraphs bear plainly upon the points in dispute between us and other seafaring nations. We can now stand upon our rights, and drive from our waters and ports the intruders who threaten to neutralize the benefits and gifts most graciously bestowed upon our Company by His Imperial Majesty.] Faithfulness and energy on your part in carrying out the provisions of this Edict will be duly reported to and appreciated by the highest authorities.

Of the copies of the documents herewith inclosed,* you will furnish one each to the offices of New Archangel, Kadiak, Unalaska, Ross, and to the agents on the northern fur-seal islands, with instructions to comply with all its provisions as far as local circumstances will permit, with such additional explanations as you may see fit to furnish to the various individuals in charge. It

* A copy of the Ukase, translated into the English language, was inclosed with this letter, and from it is copied the translation of the Ukase inserted in vol. I, p. 24.

From the Board of Administration of the Russian-American Company under His Imperial Majesty's Protection to Captain Matvei Ivanovitch Muraviev Chief Manager of the Russian-American Colonies.

(No. 532.)

HIS Excellency Count Dmitri Alexandrovitch Guryef, Minister of Finance, informed this Board on the 18th instant that His Imperial Majesty had been pleased to approve, at Porkhov, on the 13th instant, drafts of a Charter granting privileges to this Company for a further period of twenty years, and of Regulations for its guidance. In inclosing copies of these papers, Count Guryef expressed the hope that, as they furnished to the Company proof of the anxiety of the Government to make it a still more useful institution, this Board would, on its part, use its best endeavours to meet the wishes of the Government in every respect, and especially that it would lose no time in sending the necessary instructions to you as the Chief Manager of the Company's Colonies.

The Board has also received these documents, in the form in which they were printed for publication, from the Ruling Senate. Ten copies are transmitted herewith.

In these documents, and especially in the Regulations, the Government has explained the duties which it expects you, and this Board through you, to fulfil.

The Board does not consider it necessary to repeat all that is stated in the Charter and Regulations, by which expressions of the wishes of the Government you will of course be guided. In calling your particular attention, however, to paragraphs 35, 39, 41, 43, 44, 46, 47, 48, 49, 51, 52, 53, 55, 56, 57, 58, 59, 60, 62, 64, 67, 68, 69, and 70 of the Regulations, the Board hopes that you may earn the approval of the Government by complying with its requirements, and that you may enable the Board to bear witness always to the usefulness of your proceedings.

Be so good as to supply copies of the inclosures to the offices at Novo Arkhangelsk, Kadiak, Unalaska, and Ross, and the Departments at the northern seal islands, and to instruct them in detail as to the manner in which, keeping in view local circumstances, the Rules now laid down should be carried out. It is necessary that detailed instructions should be given to insure uniformity in the manner in which they are applied, and to make it certain that they will be

is necessary to add that such additional instructions and explanations must be uniform in tenor and expression in order to avoid misunderstanding and embarrassment to the Board of Administration.

Upon the receipt of such overwhelming evidence of the good-will of our Monarch toward the Company, we most sincerely congratulate you and your co-laborers in the field of enterprise.

In our future correspondence we will not forget to further enlarge upon this subject as circumstances may require. Lack of time prevents us from saying more at present.

(Signed) VENEDICT KRAMER,
Director.
ANDREI SEVERIN,
Director.

understood, as otherwise embarrassment might be caused to you and to this Board.

We heartily congratulate you, our fellow-worker, on the happy occasion of the bestowal on the Company of this mark of the favour of His Imperial Majesty.

This Board will not forget to write to you further in regard to the Charter and Regulations if there is any point on which it considers explanations necessary. The shortness of this letter is owing to want of time.

(Signed) VENEDICT KRAMER,
Director.
ANDREI SEVERIN,
Director.

(Signed) ZELENSKY,
Chief Clerk.
September 20, 1821.

No. 9.

Letter from the Board of Administration of the Russian-American Company to Captain-Lieutenant of the Imperial Navy and Knight M. I. Muraviev, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, February 28, 1822.

IN your despatch No. 36, dated the 1st January, 1821, you asked for instructions as to sending in one cargo all the furs remaining in your hands, as you did in that year, shipping 60,000 fur-seals by the "Borodino." The Board of Administration of the Company informs you that it is necessary to suspend for a time shipments of fur-seals, since those shipped by the "Borodino" still remain unsold, and other lots are in the same condition at Moscow and in Siberia. These fur-seals were not sold because the demand for them, as well as all other furs, has been greatly reduced during the Turco-Grecian difficulty. However, you need not on that account discontinue the shipments of the other valuable furs by the way of Okhotsk and Kronstadt. [As to fur-seals, however, since our gracious Sovereign has been pleased to strengthen our claims of jurisdiction and exclusive rights in these waters with his strong hand, we can well afford to reduce the number of seals killed annually, and to patiently await the natural increase resulting therefrom, which will yield us an abundant harvest in the future.]

In reference to your action in disposing of the Japanese brass cannon, we fully approve of what you have done. You did not need them in the Colonies, since you must have on hand sufficient armament to fit out all the Company's vessels as cruisers for the protection of our waters.

(Signed) MICHAEL KISSELEF,
V. KRAMER.
ANDREI SEVERIN.

No. 9.

Reply of the Board of Administration of the Russian-American Company to Captain Matvei Ivanovitch Muraviev, of the Imperial Navy, &c., Chief Manager of the Russian-American Colonies.

(Received on the "Tchirikoff" October 2, 1822.)

(No. 155.)

IN your despatch No. 36 of the 21st January, 1821, you asked whether you were to send home the whole stock (meaning the stock of furs), and you did in fact send it (60,000 seal-skins) by the "Borodino" last year. The Board wishes you not to send home any more seal-skins for some time, because those that came by the "Borodino" are still on its hands unsold, some of them being at Moscow and in Siberia. There is no demand for seal-skins, and, in fact, the fur trade is altogether very slack, owing to the difficulties between Turkey and Greece. Still, you should send home the better kinds of furs via Okhotsk and Cronstadt.

You also wished to know whether you were right in sending home the Japanese brass guns. The Board entirely approves your having done so, because they were of no use to you in the Colonies, and, in fact, it had already been proposed to send them here from Okhotsk by way of the Colonies.

(Signed) MICHAEL KISSELEF,
VENEDICT KRAMER.
ANDREI SEVERIN.

(Signed) ZELENSKY,
Chief Clerk.
February 22, 1822.

No. 10.

No. 10.

Letter from the Board of Administration of the Russian-American Company to Captain-Lieutenant of the Imperial Navy and Knight M. I. Muraviev. Written from St. Petersburg, July 31, 1822.

Board of Administration of the Russian-American Company to Captain Matvei Ivanovitch Muraviev, of the Imperial Navy, &c., Chief Manager of the Russian-American Colonies.

(Received on the frigate "Kreiser," September 3, 1823.)

FROM the inclosed Ministerial documents and the observations thereon by the Board of Administration, you will see that England and the United States are contesting the privileges and marine jurisdiction conferred upon the Company. The first-mentioned Power protests against the boundary claimed by our Government on the line of the 51st parallel; the other Power against the prohibition of foreign vessels from approaching within 100 miles of our Colonies. In view of these pretensions, His Imperial Majesty has deigned to instruct the Russian Minister to the United States to negotiate with the Government of those States as to what measures could be taken which would prove satisfactory to both, with a view of averting further disputes.

If you should happen to become involved in difficulties with foreigners on that subject, you may allow yourself to be guided by the spirit of the above-mentioned documents. At the same time, we can inform you that without regard to future negotiations His Imperial Majesty, through the naval commander of his general staff, has ordered the Commander of the frigate "Kreiser," about to sail for the Colonies, not to insist too strictly upon the full distance of 100 miles, while at the same time affording the fullest protection to our industries, and proceeding with all foreign ships engaged in pursuits injurious to them to the full extent of marine jurisdiction.

(Signed) V. KRAMER.
ANDREI SEVERIN.

(No. 481. Secret.) July 31, 1822.

YOU will see from the inclosed copy of a letter from the Ministry (of Finance), and the observations of this Board thereon, that England and the United States are raising objections to the privileges granted to the Colonies and to the Maritime Regulations; to the former, because our Government have fixed the boundary at 51 degrees, and to the latter, because foreign ships are forbidden to come within 100 miles of our Colonies.

In view of these pretensions, His Imperial Majesty has been pleased to instruct the Russian Minister to the United States to agree with that Government upon the measures necessary to be adopted in order to prevent any further dispute. If you should have any discussion with the foreigners on these subjects, you will be guided by the inclosed papers. At the same time, this Board has to inform you, in connection with these matters, that His Imperial Majesty has been pleased to instruct the Commander of the frigate "Kreiser," which is now on its way to you, through the naval head of the general staff, not to apply the 100-mile rule too strictly; accordingly, if he found a foreign ship nearer than that distance he would act with regard to it as laid down in the Maritime Regulations.*

(Signed) VENEDICT KRAMER.
ANDREI SEVERIN.

(Signed) ZELENSKY,
Chief Clerk.

Inclosure in No. 10.

Letter from the Minister of Finance to the Board of Administration of the Russian-American Company. Written from St. Petersburg, July 13, 1822.

THE Managing Chief of the Ministry of Foreign Affairs has informed me that on presentation by our Government to the Cabinets of London and Washington of the Rules promulgated on the 4th day of September, 1821, concerning the limits of navigation and system of coastwise intercourse along the shores of Eastern Siberia, North-western America, and the Aleutian and Kurile Islands and others, protests were entered by the English and North-American Governments against what they called an extension of our domain, as well as against the rule forbidding foreign ships from approaching the above-mentioned localities within the distance of 100 Italian miles.

Inclosure in No. 10.

Offices of the Ministry of Finance, 2nd Division, 3rd Table, to the Chief Manager of the Russian-American Company.

(Received July 18, 1822.)

(No. 938. Secret.) July 18, 1822.

THE Head of the Ministry of Foreign Affairs has informed me that, on our Government communicating to the Cabinets of London and Washington the Regulations for the limits of navigation, and for communication by sea along the shores of Eastern Siberia, North-western America, and the Aleutian, Kurile, and other islands, approved by His Imperial Majesty on the 4th September, 1821, the English and North-American Governments made representations against what they term the extension of our dominions, as well as against the rules forbidding foreign ships to come within 100 Italian miles of the above-mentioned places.

* This is the literal translation of the Russian text.—(Translator's note)

In considering my Report on these representations, His Majesty the Emperor, wishing always to preserve the best possible understanding with foreign Powers, and having in view at the same time the possibility of acts of violence occurring between Russian and American vessels, and the misfortunes which thence might result, has deigned to instruct the naval authorities to guide their action by his sentiments on this subject. These instructions will be communicated to the commander of the two Imperial ships ordered to sail this year for the north-west coast of America. In the meantime, I am authorized to communicate to you the following:—

1. That Baron Tuyll von Seroskerken has been appointed as successor to Mr. Poletica in the position of Imperial Russian Ambassador and Minister Plenipotentiary to the United North-American States, and that he has already taken his departure for Washington in order to consult with the Government there as to such measures as may prove satisfactory to both and meet with mutual consent, availing all further difficulties concerning our mutual rights in connection with our possessions on the north-west coast of America. His principal object will be to abolish all cause of complaint on the part of our American Company concerning the intrusive enterprise of certain subjects of the United States, and also to relieve them of a strict observance of the Edict dated 4th September, 1821, which in every other respect must be sustained.

2. In order that Baron Tuyll's negotiations may be facilitated and brought to a speedy conclusion, he has been furnished with a transcript of the Russian-American Company's views as to the Rules we could ask the Government of the American United States to observe, with a view to the maintenance of friendly intercourse without injury to the vast interests of our Company and those of the native inhabitants of that country. The Rules to be proposed will probably imply that it is no longer necessary to prohibit the navigation of foreign vessels for the distance mentioned in the Edict of 4th September, 1821, and that we will not claim jurisdiction over coast-wise waters beyond the limits accepted by any other Maritime Power [for the whole of our coast facing the open ocean. Over all interior waters, however, and over all waters inclosed by Russian territory, such as the Sea of Okhotsk, Bering Sea, or the Sea of Kamchatka, as well as in all gulfs, bays, and estuaries within our possessions, the right to the strictest control will always be maintained.]

In informing me of the highest will on these points, the Managing Chief of the Ministry of Foreign Affairs expresses the desire to obtain a full and clear descriptive statement of all localities which are at the present day occupied by the Russian-American Company, and over which the same Company is now enjoying its exclusive privilege of trade, navigation, and fishery, in order to make it possible to ascertain definitely the points to which foreign vessels may be admitted without injury to the Company's vested rights.

The Managing Chief of the Ministry of Foreign Affairs adds that when, in the Charter granted to the Russian-American Company in the year 1799, the 55th degree of northern latitude was settled

On these representations being reported to the Emperor, His Imperial Majesty, being anxious to do all in his power to preserve the best understanding in his relations with foreign Powers, and especially wishing to prevent the occurrence of conflicts between Russian and American ships, which might lead to unpleasantness, was pleased to give instructions to the Department of the Navy in accordance with these views, in connection with the sending of two ships this year to the north-west coast of America. His Imperial Majesty at the same time gave orders for the following steps to be taken meanwhile:—

1. Baron Tuyll von Seroskerken is to be appointed Imperial Russian Envoy Extraordinary and Minister Plenipotentiary to the United States of North America in place of M. Poletica, and is to proceed to Washington, without delay, to concert with the American Government measures to be taken by common consent to prevent any further dispute on the subject of the extent of the respective jurisdictions of Russia and the United States on the north-west coast of America, to put an end to the complaints of our American Colonies of the proceedings of certain citizens of the United States, and by this means to make it unnecessary to enforce to their full extent the Regulations of the 4th September, 1821, which we should otherwise have to apply rigorously.

2. In order that Baron Tuyll may be enabled the more easily to carry out the mission intrusted to him, the Russian-American Company are to furnish me as soon as possible with a statement of the measures which we might call upon the Government of the United States of America to take, in order that the sources from which the Company derive their revenue may not suffer, and in order that the native inhabitants of those regions may not disturb our Settlements by carrying on prohibited trade. These measures should be of such a nature as to make it unnecessary for us any longer to insist on the distance stated in the Rules of the 4th September, 1821, to be that within which no foreign ship may come, and such as to enable us to confine ourselves to exercising a control over such an extent of water only as is by common custom considered to be under the jurisdiction of any Power which has possession of the seaboard, and to introducing on the coast such a system of surveillance as may be found necessary for the protection of our territory from attack, and for the prevention of illicit trading.

In communicating to me the Emperor's orders in this matter, the Head of the Foreign Office desires that the Company's statement may be accompanied by an accurate account of the localities where the Russian-American Company has hitherto exercised the right of hunting, fishing, and trading, as well as an indication of the parallel of latitude which can be fixed as the farthest limit of our dominions, without giving rise to remonstrances and pretensions such as those which have lately been evoked.

The Head of the Foreign Office adds that, when the Charter granted to the Russian-American Company in 1799 fixed as this boundary the 55th degree of latitude north, and

upon as the southern boundary, this line was looked upon as well to the northward of any possessions claimed by other Powers, and one which could safely be changed in case our Russian-American Company should be found occupying territory farther south.

For this reason, Privy-Counselor Count Nesselrode suggests that it would be well for the Russian-American Company to compile in addition a list of its stations, the time of their establishment and maintenance, together with any information they may possess of the situation, strength, and importance of any establishments maintained in the vicinity of our possessions by English or North-American Trading Companies.

In order to enable me to comply with these various suggestions, and in view of the urgency of the matter in hand, I now respectfully request the Board of Administration of the Russian-American Company to furnish me, without any unnecessary delay, a Report containing the information specified above, in duplicate, one copy to be forwarded to the Imperial Ambassador at Washington. At the same time, I am authorized to assure you that every effort will be made to secure the adoption of such Rules as will effectually protect the Russian-American Company from inroads on the part of foreigners upon their vested privileges, in strict conformity not only with the privileges granted by highest Act, but also with the Edict of 4th September, 1821.

(Signed) Count D. GURIEF,
Minister of Finance.
Y. DRUSHININ,
Director.

gave permission to the Company to establish new stations even south of this line, except in places belonging to other Powers, no foreign Government objected to these two points, but that, on the other hand, it appears that two English Companies, the North-west Company and the Hudson's Bay Company, have long had trading stations established on the north-west coast of the American continent, beginning from 54° north latitude, and extending, according to some accounts, to 56°.

Under these circumstances, Privy Councillor Count Nesselrode thinks that it would be useful if the Russian-American Company would communicate all the information in its possession with regard to the existence of these stations and the time of their establishment, as he considers such information indispensable in order to avoid claims being advanced by England when we proceed with the United States to the delimitation of our respective territories.

In bringing what is stated above to the notice of the Board of Administration of the Russian-American Company, in accordance with the Emperor's orders, I have to request it to supply, without delay and in sufficient detail, the information required from it, in order that a firm basis of fact may be established on which to found the instructions to be sent to Baron Tuyl, with a view to the defence of our territory against unfounded claims and injurious attempts on the part of foreigners, and to the protection of the interests of the Russian-American Company, in accordance with the aims which the Government had before it when drawing up the Charter granted to the Company, and the Regulations approved by His Imperial Majesty on the 4th September, 1821.

(Signed) Count D. GURIEF,
Minister of Finance.
Y. DRUSHININ,
Director.

A true copy :
(Signed) The CHIEF CLERK.

No. 11.

Letter from the Minister of Finance (Department of Manufactures and Internal Trade) to the Board of Administration of the Russian-American Company. Written from St. Petersburg, April 2, 1824.

ON the subject of your representations, under No. 73 of 11th February of this year, concerning the permission to foreign vessels of entering the harbor of New Archangel for the purpose of trading with the Chief Manager of the Russian-American Colonies for such necessities as he may be in want of, I have received a communication from the Minister of Foreign Affairs.

Count Karl Vassilievitch has been pleased to inform me that he has submitted the matter to His Majesty the Emperor, and that His Majesty, finding that the solicitations on the part of the Board of Administration of the Russian-American Company concerning the renewal of intercourse with foreigners in the Colonies were deserving of attention, has most graciously ordained that intercourse and trade with foreign ships in the

[117]

No. 11.

Letter from the Minister of Finance (Department of Manufactures and Internal Trade) to the Board of Administration of the Russian-American Company. Written from St. Petersburg, April 2, 1824.

I HAVE had a communication from the Minister in charge of the Ministry of Foreign Affairs in regard to the representation made by the Board of Administration, dated the 11th February, 1824, No. 73, concerning the permission to foreign vessels to enter the harbour of New Archangel for the purpose of trading with the Chief Manager of the Russian-American Company only, in order to procure articles which are absolutely necessary.

Count Karl Vassilievitch has informed me that he has made a Report on this subject to His Majesty the Emperor, and "that His Majesty, finding that the reasons which induced the Board of Administration of the Russian-American Company to desire the renewal of the trade which formerly existed in our Colonies with foreigners are deserving of consideration, has been pleased to command that the carrying on of trade with

I

Colonies may be carried on under established Regulations, and in one port designated for the purpose.

Informing you of this gracious permission on the part of His Majesty the Emperor, I will add that I am authorized to state that it is the intention of the proper authorities to designate Sitka as the one port which foreign vessels will be permitted to enter for the purpose of trading with the Company only.

(Signed) Lieutenant-General KANKRIN,
Minister of Finance.
SERGEI UVAROV,
Director.

foreign vessels arriving there be permitted in accordance with established regulations at one designated port."

In notifying you of this permission of His Majesty the Emperor, I suggest that the Board of Administration, on its part, make the necessary arrangements to accomplish this object.

(Signed) Lieutenant-General KANKRIN,
Minister of Finance.
SERGEI UVAROV,
Director.

No. 12.

Letter from Count Nesselrode to Nicholas Semenovitch Mordvinof. Written from St. Petersburg, April 11, 1824.

THE communication of your Excellency, dated 20th February of this year, in which you express your opinion on the subject of the rights of the Russian-American Company to control certain parts of the north-west coast of America, and on the threatening dispute over the limits of such rights, I have had the honour to submit to His Majesty the Emperor. His Majesty, upon receipt of the communication, most graciously gave it his immediate and careful attention. His Majesty was pleased to enter into the subject with the thoroughness and promptitude which, as your Excellency is well aware, he bestows upon all subjects relating to the welfare of Russian subjects, especially of those who by their enterprise and energy have contributed to the enlargement and development of the Empire. The Emperor recalls with pleasure all that has been accomplished by our bold navigators in the discovery of islands and coasts of America; their efforts and successes, their losses and the dangers incurred in the settlement of regions theretofore unknown, the natural riches of which they were the first to gather in and lay before the civilized world. These achievements doubtless gave us the right to look for commensurate advantages from those regions, and His Majesty's Ministers will not during the present negotiations ignore, nor have they at any other time ignored, this point of view. But while endeavouring to preserve the advantages gained under such difficulties, and while anxious to obtain others by all legitimate means, we must not forget that there may be other more important public interests and requirements imposing other more important duties upon the Government.

I consider it unnecessary, my dear Sir, to explain to you, who are thoroughly versed in all branches of the science of government, that in political negotiations we cannot confine ourselves to weighing only the greater or lesser immediate advantage involved in a question. His Majesty's Ministers primarily consider the right and justice of a question, and when right or justice cannot be obtained without sacrifice, they make the lesser interests yield to the greater, and above all they strive to secure the object in view without resort to force or embroilment with friendly Powers. Without such sentiments no success could be

No. 12.

(Copy.)

My Gracious Sir, Nicholas Semenovitch,

I HAD the felicity of submitting to the notice of His Imperial Majesty the despatch of your high Excellency of the 20th February of the present year, in which you express your opinion respecting the rights of the Russian-American Company to the possession of some parts of the north-western coast of America, and respecting the conditions for terminating the dispute which has arisen respecting the extent of these possessions.

His Majesty having favourably received the same, deemed your reasons worthy of his Imperial attention, which, as is known to your high Excellency, carefully directed to everything that concerns the preservation of the legal interests of Russian subjects, and those especially which, by enterprise and labour, conduce to the extension of national industry, and consequently to the increase of general prosperity in the Empire. The Emperor recollects with pleasure everything that has been done by our bold mariners in the discovery of islands and coasts of America. Their efforts and successes, even their losses and dangers when settling in places hitherto unknown, and where they first extracted the riches of Nature for the benefit of all civilized mankind, have undoubtedly given us the right of obtaining advantages commensurate with them, and the Ministry of His Majesty will, neither during the present negotiations, nor yet at any other time, lose sight of them. But while endeavouring to protect interests laboriously established, and even secure new advantages by all allowable means, it must not be forgotten that there may exist other most important necessities and interests of State which impose very grave duties on the Government. To you, Sir, as a man acquainted with every branch of the science of government, I consider it superfluous to explain that the greater or smaller utility of desirable acquisitions cannot serve as a guide in political negotiations. What the Ministry of His Imperial Majesty will tenaciously follow is the principle of *right*, and there where it cannot with accuracy be recognized or defended without inordinate sacrifices in its entirety, it is necessary to take into consideration not only the degree of mutual demands, but also the degree of possibility of attaining the objects of the same without any dangerous strain of strength.

expected in any negotiations, and these principles will guide the Plenipotentiaries named by His Imperial Majesty to negotiate the questions in which the Russian-American Company is interested. Our Cabinet, by the right of discovery, first settlement, and development, claims sovereignty over the islands and western coast of America from the northernmost point to the 55th degree of northern latitude. Great Britain, on the other hand, advances the rights of the Hudson's Bay Company, whose trading posts and stations are being pushed farther and farther into the interior of the country, and have almost reached the north-west coast under the same parallel. The basis upon which these conflicting claims are founded is almost identical, and it cannot be denied that through injudicious action on either side the most serious and unfortunate consequences might at any time arise. Prudence demands a speedy agreement between both sides interested. The most practicable solution seemed this: To establish at a certain distance from the shore a boundary line which both our trappers and hunters and the employes of the Hudson's Bay Company must be forbidden to cross. The representatives of both Powers recognized the necessity of such a boundary, but the width of the strip of coast necessary for the peaceable prosecution of the enterprises of our Colonies, the direction of the line, and its initial point on the mainland of America, are subjects still under discussion, since the Envoy of His Britannic Majesty declares he must wait for further instructions from his Court. It is hardly necessary for me to repeat that in all these negotiations with England we have recognized, and always will recognize, the paramount importance of the interests of the Russian-American Company in this matter; on the other hand, we must consider the extent of rights in the interior and the most practicable means of securing and maintaining the same. As I observe above, it is necessary for the peaceable existence of our Colonies that their boundaries be defined with the greatest possible accuracy. The extent of territory between the coast and this boundary should be sufficient for the requirements of all our establishments now existing, as well as of such as may be founded in the future. At this point, most gracious Sir, you will permit me to remark that we have no right or power to extend our claims in the interior of the American Continent to the Rocky Mountains. Such claims would only give rise to disputes and possible complications without any visible advantages resulting therefrom. On the other hand, it is your Excellency's own opinion that those regions are nearly barren and without proper soil to produce breadstuffs for our Colonies, and since the principal and almost exclusive industry of our settlers consists in the capture, not of land, but of marine animals, there seems to exist no necessity for an extended territory to the eastward of the boundary now proposed. Consequently there can be no cause for a dispute on the subject of fixing the boundary of this strip of coast. We must also consider that as long as we avoid such disputes, the neighbourhood of an enlightened people cannot be injurious, but must be of advantage to the Colonies, affording facilities for the purchase of supplies in case of need. There is no reason to apprehend that the mere fact of having such a neighbour would compel us to abandon any of the islands and coast heretofore

Without this it is impossible to expect success in negotiations, and these rules have served as guides for the Plenipotentiaries appointed by His Imperial Majesty for negotiating respecting the affairs of the Russian-American Company. By right of first discovery, and by that which is still more real, the first establishment of habitations and human activity, our Cabinet demands possession both of the islands and the western coast of America from the furthest north to the 55th degree of latitude; but Great Britain, on her part, represents the rights of the Hudson's Bay Company, whose trading posts or refuges, penetrating further and further into the interior of the lands, have nearly reached the north-western coast, on about the same parallel. The bases of these mutual pretensions are similar in character; at the same time it must be foreseen that out of the misunderstandings now arising disagreeable consequences may in time ensue, and prudence demands that the interests of both parties should be quickly reconciled.

For this only one expedient presents itself: to establish at some distance from the coast a frontier-line which shall not be infringed by our establishments and trappers, as also by the hunters of the Hudson's Bay Company. The Plenipotentiaries on both sides equally recognized the necessity of this measure; but the width of the coast-line necessary for the safe existence and consolidation of our Colonies, the direction of the frontier, and even its starting point on the Continent of America, still form subjects of negotiation, and the British Ambassador has declared that for continuing them he must seek new instructions from his Court. I shall not repeat that in these negotiations with England we took, and will continue to take, into equal consideration on the one side the requirements and interests of the establishments of the Russian-American Company, and, on the other, the degree of its rights of possession in the interior of the Continent of America, and the measure of the methods for firmly securing to the Company the possession of these territories.

As I have said above, for the peaceful existence of our Colonies more than all it is necessary to determine with accuracy the frontier, the extent of the country between the coast, and this frontier must be sufficient and be in correspondence with the condition to what these establishments will, in all probability, in time attain, and by their means of own defence. Here, gracious Sir, you will allow me to observe that to extend our pretensions to the interior of the Continent of America to the middle of the Rocky Mountains, we have neither the right nor the possibility; such pretensions may merely be the cause not only of disputes, but also of other most disagreeable events; and, as it would appear to me, there is no visible advantage in this fictitious extension of our confines. Independent of the circumstance that the land in those places is almost sterile, affords no corn-fields, which, in the opinion of your high Excellency, are necessary for a Colony, is hardly able to produce good food-products, and that the principal pursuit of our settlers consists in the capture of marine and not land animals, it is necessary to bear in mind that in accordance with contemplated plans these Settlements, after the line of frontier has been fixed, will acquire recognized and undisputed possession of a considerably extensive zone of country, and, moreover, that when there are no disputes respecting

occupied by us south of the 60th degree of latitude. Such were the conclusions arrived at by His Imperial Majesty on reading your Excellency's communication.

One point referred to in your letter especially attracted His Majesty's attention, namely, where you, dear Sir, asserted that in consequence of England's demands Russia would be obliged to yield or give up many natives of America who had been converted to Christianity by us. To one subjects who had voluntarily come under his sceptre, and sons of the Russian Church, would certainly be repugnant to our great-hearted Monarch; but from all the information which I have been able to collect it would appear that on the coast below the 55th degree of latitude, or at any great distance from the sea-coast in the interior, there exist no Settlements of the Company or native inhabitants converted to the Greco-Russian faith, and as to any extension of our Settlements to the northward I venture to consider it somewhat improbable.

Having acquainted you (as far as I may while respecting the secrecy of diplomatic negotiations) with the present status of our arrangements with England, I turn to another subject of interest to your Excellency and all the members of the Company's Board of Managers, the negotiations with the North American Republic, which have been brought to a successful conclusion.

The Convention which was entered into on the 5th April, 1824, and of which I inclose an abstract for your information, consists of an agreement arrived at by mutual consent, and the clauses of which, in my opinion, will be mutually satisfactory and highly beneficial. In Article III the United States acknowledge the sovereignty of Russia over the west coast of America from the Polar Sea to latitude 54° 40' north, while we, on our side, promise to establish no Settlements below that latitude, with the exception of such as have been already made, especially the Ross Colony in California. By Article II the States undertake to forbid their citizens and subjects from landing in any part of the Russian Colonies without special permission of the local authorities. In Article I* it is agreed that the Americans will not sell to the savage inhabitants of the territory belonging to Russia any strong liquors, the cause of all evil among unenlightened peoples, and, what is still more important, they agree to abstain from selling them any fire-arms. Hereby we have been fortunate enough to abolish, by means of diplomacy, at one stroke the principal cause of all disorders and bloodshed in that distant country, and we have thus laid the foundation for the peaceable existence of our Colonies. In Article IV we permit the American States to carry on, for a period not exceeding ten years, trading and fishing in localities situate within our possessions. To this clause, advantageous to them, our Cabinet found itself obliged to consent for two very important reasons. First, because the Government of the North American Republic, not unreasonably, demanded an equivalent for the great advantages

boundaries the neighbourhood of civilized people, far from being harmful, is advantageous to a Colony, as, in case of necessity, new means of obtaining food supplies are established. How can it be supposed that, owing solely to such propinquity, we shall be obliged, abandoning the islands and coast occupied by us, to retire to the 60th degree? Such were the Emperor's own comments on the perusal of your high Excellency's despatch; one place in particular attracted the attention of His Majesty: it was that in which you, gracious Sir, assert that, in consequence of the demands of England, Russia will be obliged to surrender to the former many natives of America who have been converted by us to Christianity. To lose subjects who have voluntarily subjected themselves to his sceptre, and are sons of the Russian Church, would, of course, always be regretted by our noble-minded Monarch; but, according to all the information I have gathered, it appears that neither along the coast, below 55 degrees, nor yet in the interior of the country at a great distance from the sea, are there any Settlements of the Company, nor any natives professing the Russo-Greek faith; at the same time our apprehended retirement to the north is, I venture to opine, not very probable.

Having thus denoted (as far as the secrecy necessary in diplomatic negotiations permitted) the present position of our negotiations with England, I hasten to inform your high Excellency and the whole Board of Management of the Company that the other negotiation concerning its affairs with the North American Republic has been brought to a conclusion, and with the success desired. The Convention concluded on the 5th April, 1824, and herein inclosed in copy for your information, contains the ratified conditions mutually consented to, and these are, in my opinion, reciprocally and completely satisfactory. In Article III the United States recognize the sovereign power of Russia over the western coast of America, from the Polar Seas to 54° 40' of north latitude; while we, on our part, promise not to found Settlements below this parallel, as a matter of course only in those places and without extending this provision to the Colony of Ross, far distant to the south. By Article II the States bind themselves not to allow their citizens and subjects to land at Russian Colonies without the distinct permission of the local authorities. Article I provides that Americans will not sell to the wild natives of the region belonging to us either strong liquors, so baneful to those ignorant people, or, which is of still greater importance, weapons of any kind. In this manner, after fifteen years of long-protracted and fruitless endeavours, having now happily attained the object of a difficult negotiation, we have for ever removed the chief cause of those disorders, quarrels, and bloodshed which have hitherto prevailed in that region, I would go further, and say that by this, perhaps, the first solid foundation has been laid to the peaceful existence of our Colonies. In Article IV we allow the American States, though for no longer than ten years, to trade and fish in places within our dominions; to this proviso, so advantageous to them, our Cabinet was obliged to consent on two considerations of equal cogency. Firstly, because the Government of the North American Republic—not without foundation—demanded remuneration for the very considerable advantage

* *Sic.* It was doubtless intended to refer to Article V.

conceded to us in other Articles of the Convention, especially those of Article V. Second, because the Americans had been for some time engaged in this trade and fishery, which the Company has thus far been unable to prevent them from doing; and because, on the other hand, it was much better that they should accept as a special and temporary privilege from our hands what they might come to look upon as a natural right in course of time; since now the Americans acknowledge officially that at the expiration of a few short years we have the legal power to entirely prohibit trading and fishing in that region.

The Emperor has deigned to approve the Articles of the Convention by which the demands and interests of both Contracting Parties have been considered as much as possible. A close scrutiny of this Convention must lead to the conclusion that under its provisions our Colonies will acquire new strength. This Act may be looked upon as the beginning of the political existence and safety of the Colonies, since their relation to foreign Powers has been for the first time acknowledged and made patent to the world. The importance of this is evident, and the members of your Board will doubtless realize to its fullest extent this new great benefit bestowed upon them by their highest Protector, who, never losing sight of the true interests of his beloved subjects, has thus by a stroke of his pen fixed their honourable status not only within his own dominions, but also in the eyes of all foreign Powers, and started you in the race of prosperity with all other nations of the civilized world.

I have the honour to be, with the greatest respect, and with the best intentions, your humble servant,

(Signed) Count NESSELRODE.

No. 13.

Letter from the Minister of Finance to the Board of Administration of the Russian-American Company. Written from St. Petersburg, September 4, 1824.

THE letter transmitted to me on the 12th June by the Directors of the Company, containing their remarks on the possible consequences of the Convention concluded on the 5th April of this year, between our Court and the North-American Republic, I have submitted to the Minister of Foreign Affairs in the original. I have now received from him in reply a copy of the proceedings of a Special Committee appointed to consider the subject. The proceedings of this Committee have received the most gracious approval of His Imperial Majesty, and I am now authorized to lay before the Board of Administration a copy of these proceedings, together with an accompanying letter from Count Nesselrode, dated the 21st July of this year; all of which I trust will prove satisfactory to the Board of Managers and shareholders of the Company.

afforded us under other stipulations of the Convention, especially by the conditions of Article V. Secondly, because the Americans have already for many years past carried on this trade and fishing, which the Company to the present time cannot find means to oppose; and, of course, it is more reprehensible for the Company to allow them to benefit by these pursuits as they have hitherto done by, as it were, a natural and an indefeasible right, than that they should carry them on by permission granted them by us in a solemn Convention, as through this the Americans as solemnly recognise that after the expiration of the few prescribed years we shall have the legal right to prohibit both trade and fishing in this region.

His Majesty the Emperor deigned to approve all the stipulations of the Convention, in which, so far as possible, are reconciled the demands and interests of both Contracting Parties. Having carefully examined this instrument, we have almost come to the conclusion that by means of it our Colonies are the greater gainers. It is in a certain sense the commencement of their political existence and safety, inasmuch as now, for the first time, are determined their relations to foreign States. The importance of this is evident, and the members of the Russian-American Company will undoubtedly appreciate in the fullest measure this new great benefaction of their august Patron, who so indefatigably labours for their good by protecting the rights of his beloved Russian subjects not only with all the might of our Empire, but by, perhaps, for him more precious power, that of respect and confidence which the undeviating course of his policy serves to instil into all Governments and nations of the civilized world.

I have the honour to be, with perfect respect and similar devotion, your high Excellency's obedient servant.

The original is signed by—

Count NESSELRODE.

April 11, 1824.

No. 13.

Letter from Minister of Finance to the Board of Administration of the Russian-American Company. Written from St. Petersburg, September 4, 1824.

THE communication of the 12th June, 1824, presented to me by the Directors of the Company, containing their remarks on the consequences which may result from the ratification of the Convention concluded 5th April, 1824, between our Court and the North American Republic, was communicated by me at that time in the original to the Minister in charge of the Ministry of Foreign Affairs. Having now received from him the information that the recorded Protocol of the proceedings of the Special Committee which examined this subject by Imperial order has received the full and entire approval of His Imperial Majesty, I think it necessary to communicate to the Board of Administration of the Russian-American Company, for their information, copies of the above-mentioned communication of Count Nesselrode to me, and also the proceedings of the Committee of the 21st July, 1824, inclosed in it, together with a draft of a communication to

From these documents the Board of Administration will ascertain that the Company's representations have met with due consideration, and that instructions have already been forwarded to the Imperial Ambassador at Washington to the effect that the extent of coast thrown open to subjects of the North-American States for the purpose of trade and fishery is limited in the south by latitude 54° 40' north, and in the north by the Bay of Yakutat (or Bering Bay). At the same time, I am authorized to state that it is the intention of His Majesty the Emperor to afford full protection to the Company's interests in the pursuit and catch of fur-seals, sea-otter, and all other marine animals.

(Signed) Lieutenant-General KANKRIN,
Minister of Finance.
Y. DRUSHININ,
Director.

me, prepared by his Excellency; which was also read in the above-named Committee and was left unsigned after it had been given final consideration.

From these documents the Board will see that, for the avoidance of all misunderstandings in the execution of the above-mentioned Convention, and in conformity with the desire of the Company, the necessary instructions have already been given to Baron Tuyll, our Minister at Washington, to the effect that the north-western coast of America, along the extent of which, by the provisions of the Convention, free trading and fishing are permitted subjects of the North American States, extends from 54° 40' northwards to Yakutat (Bering's) Bay.

(Signed) Lieutenant-General KANKRIN,
Minister of Finance.
Y. DRUSHININ,
Director.

No. 14.

Abstract of Communication from Count Nesselrode, Minister of Foreign Affairs, to the Minister of Finance. Written from St. Petersburg, August 18, 1824.

I CONSIDER it my duty to inform your Excellency that His Imperial Majesty has most graciously deigned to agree fully and completely with the opinion of the majority of the members of the Committee appointed by His Majesty to consider the interests of the Russian-American Company in connection with the Convention of the 5th (17th) April of this year, in which opinion your Excellency has also been pleased to concur.

Consequently, I hereby forward a copy of the proceedings of the Committee, and I have the honour to inform you, most gracious Sir, that instructions have already been forwarded to our Ambassador in conformity with the conclusions reached by the members of the Committee.

I must not omit to add, also, a copy of my humble opinion on the complaints of the Russian-American Company presented to His Majesty at your Excellency's request.

I flatter myself with the thought that these documents will convince you, most gracious Sir, as well as the Board of Administration of the Russian-American Company, that it is His Majesty's firm determination to protect the Company's interests [in the catch and preservation of all marine animals, and to secure to it all the advantages to which it is entitled under the Charter and privileges.]

No. 14.

Abstract of Communication from Count Nesselrode, Minister of Foreign Affairs, to the Minister of Finance. Written from St. Petersburg, August 18, 1824.

I DEEM it my duty to inform your Excellency that His Majesty the Emperor has been graciously pleased to give his full and entire approval to the opinion of the majority of the members of the Committee appointed by His Majesty to examine the observations presented by the Russian-American Company on the Convention of the 5th (17th) April of this year, in which opinion your Excellency was also pleased to concur.

Therefore, in inclosing with this a copy of the Protocol of the deliberations of the Committee, I have the honour to inform your Excellency that instructions in entire conformity with the conclusions contained in that Protocol have been sent to our Minister, Baron Tuyll.

I also inclose with this a draft of a communication to your Excellency, written by me by order of the Emperor, concerning the complaints of the Russian-American Company.

I cherish the hope that this document will enable your Excellency, in communicating to the Company the resolution of His Imperial Majesty, to prove to it that the Government has never lost sight of its interests.

Inclosure in No. 14.

Proceedings of the Conference held July 21, 1824.

COUNT NESSELRODE opened the Conference by a detailed explanation of the present status of the business most graciously submitted to the consideration of the Committee by His Majesty the Emperor. He referred to the paragraphs or Articles of the Agreement concluded with the Minister of the United States concerning the north-west coast of America, and also to the

COUNT NESSELRODE opened the Conference with a statement as to the present condition of the matter intrusted by His Majesty the Emperor to the investigation of the assembled Committee.

He called attention to the Articles of the Treaty concluded with the Minister of the United States concerning the north-west coast of America,

representations made and protests presented against this Act by the Russian-American Company in two communications submitted to the Minister of Finance and to the Minister of Foreign Affairs. Finally, he submitted a project which had been presented for discussion in the name of His Excellency Lieutenant-General Kankrin, inclosing also the reply from the Minister for Foreign Affairs to the above-mentioned representations. This project, having been submitted to His Majesty the Emperor, has met with highest approval. At His Majesty's wish the matter was now laid before the members of the Committee for their consideration.

During the reading of these papers, to which was added a copy of the two letters of the Russian-American Company, the members directed their greatest attention to the causes, reasons, and risks, as explained by the Company, as well as the reasoning which had led to the conclusion of the Convention, together with the statement of the Plenipotentiary of the Washington Cabinet. Due attention was also paid to the means pointed out by the Imperial Ministers as most practicable and available to prevent evil consequences and unjust dispute. By a majority of votes the members of the Committee agreed upon the following:—

1. That the Agreement of the 5th (17th) April establishes for Russia rights which heretofore had been in doubt; that on the strength of this Agreement these rights had been acknowledged by the Government which would have been most benefited by contesting them, and which could most easily have injured us; that by means of this Agreement the undisputed sovereignty of Russia has been established even beyond the point mentioned in the original privileges and Charter granted to the Russian-American Company.

2. That through the absolute prohibition of trade in arms, ammunition, and strong liquors with the inhabitants of the north-west coast, established by this Agreement, the Russian-American Company has secured an amount of protection for which it has repeatedly clamoured, but which it has not heretofore attained.

3. That this last consideration is all the more important because such prohibition, affecting only Russia, prevents disturbances and open hostilities among the native tribes inhabiting our possessions, while at the same time it makes profitable trade on the part of foreigners within our domain impossible.

4. That the Agreement of the 5th (17th) April contains also another not less important point, namely, the agreement on the part of the Americans to establish no Settlement on the north-west coast above latitude 54° 40'. By this concession alone our own territorial claim is placed upon a permanent basis.*

5. That one of the most important points of the Agreement, and one of very great advantage to Russia, lies in the assurance that at the expiration of ten years the subjects of the United American States will cease altogether to navigate the waters of the north-western coast above latitude 54° 40', and to carry on their fishery and trade with the native inhabitants.

* The southernmost Settlement now occupied is situated in latitude 57°; consequently this Agreement will enable them to locate new stations further to the south.

and to the remonstrances which had been made against that Act by the Russian-American Company in two letters communicated by the Minister of Finance to the Minister of Foreign Affairs. Finally, he presented a draft of a communication which he intended to forward to Lieutenant-General Kankrin, in which were inclosed the replies of the Minister of Foreign Affairs to the above-mentioned remonstrances. This draft, having been laid before His Majesty the Emperor, has received the Imperial approval; but His Imperial Majesty imposes upon the members of the Committee the duty of again examining it.

After the reading of this document (which is annexed to the present Protocol, together with the two letters from the Russian-American Company) the deliberations were opened. The members turned their chief attention to the causes of the fears expressed by the Company, as well as to the reasons which spoke in favour of the Convention concluded with the Plenipotentiary of the Washington Cabinet; and also to the means which the Imperial Ministry thinks best calculated to prevent all injurious and unjust interpretations. The members of the Committee agreed by a majority of votes to the following Resolutions:—

1. That the Treaty of the 5th (17th) April confirms to Russia rights which have hitherto been called in question; that by virtue of that Treaty those rights are acknowledged by the Government which could dispute them with great advantage and violate them with great ease; that by it the undisputed possessions of Russia are henceforward extended even beyond those boundaries within which the Russian-American Company was required under its original Charter to carry on the trading privileges granted to it.

2. That since by this Treaty the strict prohibition of the sale of arms, munitions of war, and spirituous liquors to the natives of the north-west coast is put into effect, the American Company acquires by it the protection which it has always valued so highly, but which it has hitherto never been able to obtain.

3. That this last provision is the more important, because such a prohibition, if promulgated on the part of Russia alone, would either draw upon her disagreeable consequences and the most unpleasant embarrassments, or would not accomplish its object, in consequence of the lack of means necessary for the prevention of its violation and for the repression of prohibited traffic.

4. That the Treaty of the 5th (17th) April contains another not less important guaranty, namely, that the Americans will not establish Settlements on the north-west coast above 54° 40'. By this provision all the Settlements hitherto founded by the Russian-American Company above 57° are placed on a firm basis, and it is permitted to continue to found new ones under parallels farther to the south.

5. That it is not less advantageous to Russia to be assured by a mutual and amicable Convention that after the expiration of ten years the subjects of the United States of America will abstain entirely from visiting the waters of the North American coast beyond 54° 40', and from fishing and from trading there with the native inhabitants; for, on the one hand, it would be impossible to suppose that the States would voluntarily consent to such a concession without any compensation whatever, and, on the other hand, all the wishes

If, on the one hand, it could not be supposed that the States would willingly agree to such a concession without any corresponding advantage, on the other hand, all that the Imperial Ministry had desired or demanded will be accorded and fulfilled at the end of a few years as specified.

6. Concerning the influence which the Agreement concluded on the 5th April may have upon Russia's trade with China, it is necessary to consider that in this trade there is invested on both sides a capital of 50,000,000 roubles, of which only 800,000 roubles fall to the Russian-American Company's share, and even if the Company could bring to Kiachta a much greater number of furs, otters, and fur-seal, it would be found impossible to dispose of them, and they would fill the market to the injury of other goods. At any rate, viewing the limited scope of its trade, it cannot be considered that the Agreement of the 5th (17th) April can in any way injure the trade of Russia with China.

7. That since the sovereignty of Russia over the shores of Siberia [and America], as well as over the Aleutian Islands [and the intervening seas], has long since been acknowledged by all Powers, these coasts, islands, [and seas] just named could not have been referred to in the Articles of the above-mentioned Convention, which latter concerns only the disputed territory on the north-west coast of America and the adjoining islands, and that [in the full assurance of such undisputed right] Russia has long since established permanent Settlements on the coast of Siberia as well as on the chain of the Aleutian Islands; consequently, American subjects could not, on the strength of Article II of the Convention of the 5th (17th) April, have made landings on the coast or carried on hunting and fishing without the permission of our Commanders or Governors. These coasts of Siberia and of the Aleutian Islands are not washed by the Southern or Pacific Ocean, of which mention is made in Article I of the Convention, but by the Arctic Ocean and the Seas of Kamchatka and Okhotsk, which, on all authentic Charts and in all geographies, form no part of the Southern or Pacific Ocean.

8. In conclusion, we must not lose sight of the fact that the Convention of the 5th (17th) April settles all disputes to which the Edict of the 4th (16th) September, 1821, gave rise; an Edict issued at the formal and repeated request of the Russian-American Company. These disputes have become of considerable importance, and might be renewed again if Russia should fail to uphold the Convention, and in that case it would be impossible to foresee the end or the consequences. These weighty reasons induce a majority of the members of the Committee to record their opinion: "That the Convention of the 5th (17th) April must be sustained, and that, in order to avoid an unnecessary and unjustifiable alteration over this Act, General Baron de Tuyl should, at the proper time, offer a declaration pursuant to the project suggested in the communication of Count Nesselrode." The Minister of Finance and Actual State Councillor Drushinin agreed as to the necessity of sustaining the Convention of the 5th (17th) April, but they presented and spread upon the Minutes a special opinion, here appended, to the effect that Baron de Tuyl should, on the exchange of ratifications, demand that the privilege of free trade and fishery, granted by Article IV of the said Convention,

expressed to the Imperial Ministry are thereby fulfilled after the expiration of a certain period.

6. That as regards the influence, however, which the Treaty concluded on the 5th April might exert on the trade of Russia with China, it must be remarked that in this trade on both sides a capital of 50,000,000 roubles is invested, and that the Russian-American Company participates in it only to the extent of 800,000 roubles, or thereabouts; that even if it brought to Kiachta a larger quantity of furs, otter-skins, and seal-skins, it would not be able to dispose of them, or would cause material injury to other exported goods by glutting with its merchandises a market which is already very limited, owing to the nature of its trade, and that consequently the Treaty of the 5th (17th) April can in no respect injure the trade of Russia with China.

7. That as the sovereignty of Russia over the coasts of Siberia and the Aleutian Islands has long been admitted by all the Powers, it follows that the said coasts and islands cannot be alluded to in the Articles of the said Treaty, which refers only to the disputed territory on the north-west coast of America and to the adjacent islands; that even supposing the contrary, Russia has established permanent Settlements, not only on the coast of Siberia, but also on the Aleutian group of islands; hence American subjects could not, by virtue of the second Article of the Treaty of the 5th (17th) April, land at the maritime places there nor carry on sealing and fishing without the permission of our Commandants or Governors. Moreover, the coasts of Siberia and the Aleutian Islands are not washed by the Southern Sea, of which alone mention is made in the 1st Article of the Treaty, but by the Northern Ocean and the seas of Kamchatka and Okhotsk, which form no part of the Southern Sea on any known Map or in any Geography.

8. Lastly, we must not lose sight of the fact that by the Treaty of the 5th (17th) April all the disputes to which the Regulations of the 4th (16th) September, 1821, gave rise are terminated, which regulations were issued at the formal and reiterated request of the Russian-American Company; that those disputes had already assumed important proportions and would certainly be renewed if Russia did not ratify the Treaty, in which case it would be impossible to foresee the end of them or their consequences. These weighty reasons impel the majority of the members of the Committee to state as their opinion:—

That the Treaty of the 5th (17th) April must be ratified, and that for the prevention of any incorrect interpretation of that Act, General Baron Tuyl may be instructed at the proper time to make the declaration mentioned in the draft of the communication read by Count Nesselrode. The Minister of Finance, and Acting State Councillor Drushinin, while admitting the necessity of ratifying the Treaty of the 5th (17th) April, express and place on record the special opinion hereto annexed in the Protocol, to the effect that Baron Tuyl should be instructed at the exchange of the ratifications of that Treaty

should extend only from latitude $54^{\circ} 40'$ to the latitude of Cross Sound.

A majority of the members of the Committee remarked that since within the designated latitudes the Russian-American Company possessed many Settlements, the 11th Article of the Convention of the 5th (17th) April would afford them the desired protection, and if nothing could be done in those regions but hunting and fishing, it would be exceedingly doubtful whether American citizens would incur the risk and expense of navigation for the purpose of carrying on trade which gave such small promise of reward for outlays in those high northern latitudes, in which they could enjoy their privileges for ten years only, and where, at any rate, they would in hunting and fishing meet with the active competition of the Company which had preceded them in those waters by so many years.

On the other hand, it would appear that the limitation contained in the opinion of his Excellency the Minister of Finance and of the Actual Councillor of State Drushinin would put an end to the complaints of the American Company, and consequently the majority of the Committee found it necessary to examine further into the character of the limitations, in order to ascertain to what extent they may be adopted without infringing upon the rights and advantages resulting to Russia from the Convention of the 5th 17th April.

Since the proposed limitation designates two different points, situated under different degrees of latitude, namely:—

1. The Bay of Yakutat (Bering Bay), on the parallel of $59^{\circ} 30'$;

2. The Bay or Strait of Krestnoi (Cross Sound), on the parallel of 57° ;

the Russian-American Company desires that the subjects of the United States be prevented from fishing or hunting at those two points; but the majority of the members of the Committee are of the opinion:

As to the first of these points (Bering Bay), it is situated under a latitude where Russia's rights have never been a subject of dispute, and this important circumstance leads us to the conclusion that it is rightly covered by the general declaration concerning the Aleutian Islands and other northern localities. With regard to the second, however (Cross Sound), which is situated under latitude 57° , and consequently forms part of the coast and islands to which Russia's right has been disputed, it would be impracticable to apply to it the same rule, unless some other valid reasons are produced upon which to base such a demand.

In order to neglect no means by which the Government of His Imperial Majesty may give proof of its fatherly care of the interests of the Russian-American Company, General de Tuyl should be instructed to use every means at his command to persuade the Washington Cabinet that, in favoring the limitation about to be proposed relating to Cross Sound, there is no intention or desire to give any provocation for further dispute between the two Powers.

And General de Tuyl should be given to understand that the recognition of the undisputed primary right of Russia in those regions is of supreme importance, not in any way to be com-

to stipulate that the right of free hunting and fishing granted by the XIIth Article of the said Treaty shall extend only from $54^{\circ} 40'$ to the latitude of Cross Sound.

The majority of the members of the Committee could not but observe, on the one hand, that, as the Russian-American Company has founded many Settlements in the said latitude, Article II of the Treaty of the 5th (17th) April gives it the desired security on this subject; that even if it had simply organized hunting and fishing in those regions it is extremely doubtful whether American subjects would undertake the expense necessary for voyages to those northern latitudes, in which they can enjoy their privileges for only ten years, and whether in that case they would expose themselves to dangerous competition and would visit those waters for hunting and fishing, where they had long been anticipated by the Company, as there would be little hope for them of indemnifying themselves for their expenses and losses.

But seeing, on the other hand, that the restrictions stated in the opinion of the Minister of Finance and of State Councillor Drushinin put an end to all the complaints of the American Company, the majority of the members of the Committee have found it necessary to investigate the nature of those restrictions, in order to ascertain how far it is possible to insist upon them without prejudice to the rights and advantages accruing from the Treaty of the 5th (17th) April.

As the proposed restrictions refer to two chief points lying under different parallels of latitude, namely:—

1. To Yakutat (Bering's) Bay, under parallel $59^{\circ} 30'$;

2. To Cross Bay or Sound (Cross Sound), under parallel 57° ;

the American Company desires that subjects of the United States may not be permitted to hunt or fish in those bays; therefore, the majority of the members of the Committee resolve:

That, as regards the first of these points (Bering's Bay), it lies in a latitude where the rights of Russia have never formed a subject of dispute, and that this important circumstance permits us to include it in the general declaration concerning the Aleutian Islands and the other northern places.

That, as regards the second (Cross Sound), however, as it lies under the 57th degree of north latitude, and consequently within the limits of those islands and regions to which Russia's right of sovereignty has been disputed, it is impracticable to apply the same rule or to base the claim, of which it must be the subject, on any other satisfactory proof.

That, apart from this, in order to exhaust all the measures showing the care of the Government of His Imperial Majesty for the interests of the Russian-American Company, it is still possible to instruct General Tuyl to use every effort to persuade the Washington Cabinet that, by accepting this restriction relating to Cross Sound, it will prevent all unpleasant collisions between the subjects of the two Powers. That General Tuyl must not, however, make this last proposition until he is convinced that it will be accepted, and that it will not deter the Government of the United States from ratifying the Treaty of the 5th (17th) April.

pared with the later and comparatively trivial concessions of the Convention with the Government of the United States, concluded the 5th (17th) April, and that it must, under all circumstances, be sustained.

This opinion was finally unanimously agreed upon by all the members of the Committee.

St. Petersburg, July 21, 1824.

(Signed) NESSELRODE.
G. L. KANKRIN.
SPERANSKY.
DRUSHININ.
POLETICA.

This Resolution was unanimously adopted by all the members of the Committee.

St. Petersburg, July 21, 1824.

(Signed) NESSELRODE.
G. L. KANKRIN.
SPERANSKY.
DRUSHININ.
POLETICA.

No. 15.

From the Board of Administration of the Russian-American Company to Captain of the First Rank and Knight Ivan Antonovitch Kupreianof. Written from St. Petersburg, March 31, 1840.

FROM your despatch No. 114 of the 20th April, we learn that you have requested the Creole Shayashnikof to express his opinion as to when you may begin taking a full catch of fur-seals on the Island of St. Paul, and when you may establish a close season on St. George and the Commander Islands. The Board of Administration respectfully requests that you will in every respect act in accordance with the opinions of Shayashnikof, who possesses a thorough knowledge of this industry. At the same time, you will bear in mind that we look upon the fur-seal catch as the most important item of our colonial enterprises, which must be preserved at all hazards, even to the temporary neglect of other resources. Everything must be done to prevent a decrease or extermination of these valuable animals.

(Signed) N. PROKOFYEF,
N. KUSOF,
A. SEVERIN,
Directors.

No. 15.

Board of Administration of the Russian-American Company to Captain Ivan Antonovitch Kupreianof, &c., Chief Manager of the Russian-American Colonies.

(No. 63.)

March 31, 1840.

THIS Board learns from your despatch No. 114 of the 20th April that you have asked the boatman Shaiashnikof to state when, in his opinion, it will be possible to begin taking a full catch of seals on the Island of St. Paul, in order to establish a close time for sealing on St. George and the Commander Islands. The Board requests you to pay great attention to the opinion of Shaiashnikof, who is a man of considerable experience, and to act upon it, remembering that the chief object to be aimed at should be the improvement of the sealing industry, and the prevention of the extermination of the seals.

(Signed) N. PROKOFIEF,
N. KUSOF,
A. SEVERIN,
Directors.

(Signed) BAJENO [?],
Acting Chief Clerk.

No. 16.

Letter from the Board of Administration of the Russian-American Company to Captain of the Imperial Navy of the Second Rank Alexander Hlitch Rudakof, Acting Chief Manager. Written from St. Petersburg, March 20, 1853.

FROM the despatches of the Board of Administration, dated the 12th April and 16th November, 1851, and the 2nd April, 13th May, and 23rd September, 1852, your Excellency must have perceived that one of the principal objects on the part of the Board of Administration has been to make the best possible arrangements for regulating the navigation of the vessels belonging to our colonial fleet. During the last few years this part of our manifold duties has not always been attended to with due regard to the best interests of the Company, and consequently a few of the vessels have been detained in harbours for prolonged periods, while others have been constantly

No. 16.

Letter from the Board of Administration of the Russian-American Company to Captain of the Imperial Navy of the Second Rank Alexander Hlitch Rudakof, Acting Chief Manager. Written from St. Petersburg, March 20, 1853.

FROM the despatches of the Board of Administration, dated the 12th April and 16th November, 1851, Nos. 525 and 1478, and those of the 2nd April, 13th May, and 25th September, 1852, Nos. 447, 682, and 1219, your Excellency will see that it has been one of the chief aims of the Board of Administration to make the best possible arrangement of the voyages of the vessels of the colonial fleet, since of late that arrangement has been made without sufficient reference to the true interests of the Company, and hence some vessels have frequently been kept lying idle in port, and others have received such confused instructions that they would often

employed and intrusted with duties for which they were but ill fitted, returning to New Archangel late in the season and at the most dangerous time of the year.

With a view to remedy this defect, the Board of Administration has now agreed upon a system of employment for our various vessels which is to be strictly followed in dispatching our colonial vessels upon their annual or semi-annual voyages in the summer and winter season under normal circumstances. This system will be strictly adhered to by the Chief Managers of the Colonies, unless unforeseen circumstances arise which would make this observance inconsistent with the Company's interests.

For the season of 1853 the colonial fleet will consist of eight sailing-vessels, of which number the larger ones are: the "Czarevitch," the "Nikolai I," the "Kadiak," and the "Shelikoff," and the smaller ones: "Menshikoff," "Konstantin," "Okhotsk," and "Tungus;" and since the "Czarevitch," which is to leave the Colonies in the autumn of 1853, will be relieved by the "Sitka," of 700 tons, now in course of construction, and which is to sail for New Archangel in 1853, the number of the Company's ships in colonial waters will remain the same. Consequently, the summer season, comprising the months from April to October, will give employment to eight ships, while in the winter season, from October to April, we can keep seven vessels running, without counting the whale-ships of our Company, the number of which will probably reach four.

For the summer season of 1854 the voyages of our vessels should be arranged in the following manner:—

1. One of the smaller vessels, perhaps the brig "Konstantin," should sail from Sitka about the middle of April with supplies for the Islands of Atka and Attu, and for the Kurile district, taking the furs from these islands to the port of Ayan, where the brig should arrive not later than the middle of July. On this vessel there should be an official of the Company intrusted with the inspection of the Company's stations in the districts of Atka, the Kurile Islands, and Kamchatka. [This agent must observe and keep a record of all foreign ships seen during the voyage, and of the position of the same when observed, for the information of commanders of our armed cruisers and of the colonial authorities in Sitka, Kamchatka, and Ayan.] * This vessel should set out upon the return voyage at the end of August or the beginning of September, following its previous course, and returning to New Archangel with the agent, [who is to repeat the observations prescribed for the outward voyage.]

* By observing these Rules the furs from the Atka and Kurile districts will always reach Ayan in time for transportation to Yakutsk, and will not have to be carried to New Archangel, as has been done in late years, for shipment to the port of Ayan in the following year. Under the old system the furs actually incur twice the risk of carriage by sea.

be unable to execute them all, or would return to New Archangel at the very latest and most dangerous time of the year.

Bearing in mind the fact that the approaching voyages of the colonial fleet are well arranged, and that they are repeated every year with only slight variations, the Board of Administration has found it possible and expedient to establish a regular schedule for the voyages of the colonial fleet, for the navigation of both the summer and winter months, and to transmit it to the Colonial Government for its guidance and execution, leaving it, however, to the discretion of the Chief Manager of the Colonies to deviate from this schedule on those occasions when, owing to local and unforeseen circumstances, it appears to the interest of the Company to do so.

In the performance of the voyages of 1853 in the Colonies there will be employed eight sailing-vessels, of which the following are the first class: The "Czarevitch," the "Nicholas I," the "Kadiak," and the "Shelikoff;" and the following of the second class: the "Menshikoff," the "Konstantin," the "Okhotsk," and the "Tungus;" and, as in exchange for the ship "Czarevitch," which has to be sent back from the Colonies in 1853, the ship "Sitka," of 700 tons, which is now being built, will enter into the composition of the colonial fleet of 1854, and will be sent to New Archangel in 1853. In the establishment of constant communications around the world the number of the Company's vessels in the Colonies will always remain the same, that is to say, in the summer months, from April to October, there will be eight, and from October to April seven vessels, without counting the whaling-vessels, the number of which, by rough estimate, will be increased to four.

Hence the movements of the colonial fleet during the summer navigation, beginning in 1854, may be arranged in the following manner:—

1. One vessel of the second class—for instance, the brig "Konstantin"—must be dispatched from Sitka about the middle of April with supplies for the Island of Atka, or Attu, and for the Kurile district, to bring goods from those islands to Ayan, where the vessel must arrive not later than the middle of July. By this same vessel there may be dispatched and landed the Company's agents sent for inspection to Kamchatka, where the vessel can stop on its passage from the Atka district to the Kurile district, without losing much time, at the most important period for the Kamchatka trade, the middle of May, that is to say, by the time of the arrival there of the vessel coming around the world.

On arriving at Ayan this vessel will be placed at the disposal of the Governor of the port of Ayan to maintain communication with Petrowsky, and, in future, until a vessel has been built specially for that port, for voyages with merchandise and for trade with Gishig and the other ports of the Sea of Okotsk. At the end of August, or early in September, this vessel will be sent back with the despatches last received and with goods for the Kamchatka trade, and will return to New Archangel, stopping on its way only in the Kurile district, if it has landed an Inspector there, and at the port of Petropavlovsky.

2. One of the larger vessels should leave the port of New Archangel for Ayan not later than the 15th May, to arrive at the latter port at the end of June. This ship, which must be armed, will carry passengers, stores, and supplies for our Asiatic stations. [On the outward voyage the course of this vessel should be laid to the northward of the chain of the Aleutian Islands, in order to meet foreign ships entering Bering Sea, and to warn them against cruising in pursuit of whales in the vicinity of the seal islands of the Pribilof and Commander groups.] At the beginning of August the ship should return to New Archangel, with cargo and passengers from Siberia, cruising in search of foreign vessels on the way. During the detention of this vessel in the port of Ayan, its commander will place himself under the orders of the local colonial authorities in all cases of emergency, or of infringement of the Company's rights and privileges, for which purpose the local commanders are furnished with special instructions.

3. A second small vessel, the swiftest of the fleet, probably the "Menshikof," with a naval crew, and commanded by a naval officer, must sail from Sitka at the end of April for the sole purpose of watching the foreign whale-ships in the southern part of Bering Sea and along the chain of the Aleutian Islands. On this vessel supplies may be forwarded to Copper and Bering Islands, and, perhaps, to Attu and Atka, in case this should not have been accomplished by the first vessel, referred to under No. 1 of this despatch. On this vessel also should be placed one of the higher officials of the Company, with the powers of an inspector and general agent. This vessel must be kept cruising constantly over the waters mentioned above, and must not enter any of the harbors except for the purpose of obtaining water and wood, on which occasions the stay of the vessel must be limited to the briefest possible period. Each of the above-mentioned islands must be visited by this cruiser at least twice during the season. The first time for the purpose of landing supplies, mails, and the inspector; the second time to receive the furs obtained, reports, mail, and the inspector. The commander of this cruiser is strictly prohibited from remaining at anchor during the progress of inspection, as it would be better to call at the islands several times than to remain idle in port. The conclusion of this cruising voyage depends upon the time at which the foreign whale-ships leave Bering Sea, which is probably at the end of August or the beginning of September.

4. The third and fourth of the smaller vessels, i.e., the "Okhotsk" and "Tungus," are assigned to carry supplies to the redoubts and islands of the Kadiak district and to Unga Island, and to bring back furs. In order to still further insure the Kadiak district against scarcity of supplies, one of the larger vessels sailing in the spring may also take a partial cargo for Iabof Harbor.

5. The second large vessel must be employed to supply the islands of the Unalaska district, the Pribilof Islands, and St. Michael's Redoubt, and also to carry on intercourse with the coast tribes of Bering Sea, on the Asiatic as well as on the American coasts. Being first loaded with the supplies for St. Michael's and the goods intended for traffic with savage tribes, this ship may take

II. One vessel of the first class, preferably the one which will come around the world from Europe that year, will be sent with the annual cargo of goods and with the spring mail direct to Ayan. This vessel must be sent early in May, and in no event later than the 15th May, in order that it may arrive at Ayan by the time of the opening of the harbour at the end of June. On this vessel there must be sent to the port of Ayan passengers, if there are any, salt, flour, and other cargo, specially for that port and for the places dependent upon it. This vessel will remain at Ayan until the end of July, or the early part of August, and will return direct to New Archangel with the Siberian cargo, the principal mail, and with passengers, if there should be any. During the stay of this vessel at the port of Ayan the Governor of that port must be allowed, on extraordinary occasions, to employ it for the transportation of men and goods to Petrovsky, and therefore instructions in conformity with this must be given to the captain of this vessel.

III. A second-class vessel, a fast sailer—for instance, the ship "Menshikoff"—with a naval crew, and under the command of a naval officer, will be sent at the end of April to cruise and to keep a watch over the foreign whaling-vessels in the southern part of Behring Sea and along the Aleutian group. On this vessel will be sent supplies for Copper and Behring Islands, and also for Attu, or Atka, if it is found necessary and does not interfere with the movements of the first small vessel (section I of this despatch). On this vessel, also, in case of necessity, there will be sent inspectors to the above-mentioned islands, and goods will be taken on it from there to New Archangel. This vessel must be kept continually cruising throughout the district assigned to it, and may go into port, for a very short time only, for supplies of wood and water. This cruiser must visit the above-mentioned islands not less than twice every year; the first time for the delivery of supplies, mails, and inspectors, and the second time to take on board goods, reports, and inspectors. This cruiser must be strictly forbidden to await the termination of the inspection in port, as has formerly been done and if one and the same person is instructed to inspect two islands, it will be better to order the cruiser to visit those islands once more rather than lie idle in port. The time fixed for the termination of the Company's cruising is that at which the foreign whalers leave Behring Sea, viz., the last part of August or the beginning of September.

IV. The third and fourth vessels of the second class, namely, the "Okotsk" and the "Tungus," will be designated to carry supplies to the forts and islands of the Kadiak district and to the Island of Unga, and to bring goods from them. For the better care of the Kadiak district a part of the supplies may be sent there by one of the large or small vessels early in the spring, in the month of March.

V. The second first-class vessel is intended to supply the islands of the Unalaska district, the Pribilof Islands, and Fort Michael, and for trading with the natives on the coasts of Behring Sea, as also on the coasts of Asia and America. As vessels may be sent to that region very late, this vessel, after taking in supplies for Fort Michael and the goods intended for trading with

on subsequently an upper cargo of lumber and firewood for the Pribilof Islands and the Unalaska district, at which points mail and the most necessary supplies may be landed on the outward voyage, and furs picked up on the return trip. During the whole time of the presence of this ship in the northern part of Bering Sea and the vicinity of the Pribilof Islands, the commander must be charged with the duty of cruising in search of foreign whale-ships and of English vessels carrying on trade with our savages. This ship, also, must make no prolonged stay at any anchorage, and must be placed under the command of a naval officer, with a crew consisting principally of sailors of the navy.*

the savages, may be dispatched somewhat earlier, and may also carry lumber and wood for the Pribilof Islands and the Unalaska district when it may seem necessary. The supplies and papers for the above-named places may be delivered on the way there, and the furs and the replies may be received on the return voyage. As at the time of the voyage to the northern part of Behring Sea this vessel will also do duty as a cruiser to keep watch over the foreign whalers and the Englishmen, with regard to the trade carried on by them with our savages, it must in no event waste any time, and must be under the command of a naval officer, and, if possible, have a naval crew.

VI. The third first-class vessel will maintain communication with California and the Sandwich Islands, carrying there lumber and salted fish, and bringing to the Colonies salt and other merchandise, if the purchase of such appears necessary and to the advantage of the Company. This vessel must in no case waste any time in foreign ports, but must, immediately after delivering the cargo furnished, if there is no return cargo in readiness for it, return to New Archangel in ballast. But the Colonial Government must make every exertion always to have a cargo ready for immediate dispatch to California or the Sandwich Islands, guiding itself by information received from the Company's agent at San Francisco. Short Reports (on the most important subjects) must be sent by this vessel on every trip, to be forwarded to the Board of Administration.

VII. The fourth first-class vessel will remain in reserve, and can be employed for carrying salt to Kamchatka in sufficient quantities to last several years; for transporting cargoes of lumber to California; for the inspection of the Colonies by the Chief Manager, &c. In those years when it becomes necessary to send to the islands of the Atka district more lumber than can be carried by a small vessel, the voyage ordered in section III of this despatch may be assigned to the large vessel, and the small vessel designated in that section may remain in reserve or receive special instructions.

7. The fourth large vessel of the fleet, [which may be used for voyages to Kamchatka, must also be fitted out as an armed cruiser and kept in readiness to proceed to any point in Bering Sea or in Siberian waters, from which the presence of foreign ships may be reported by the smaller vessels in the course of the season.*]

In transmitting to your Excellency the above outlined plan for the employment of the colonial fleet, the Board of Administration respectfully requests that in case the interests of the Company require a deviation from our plans, your Excellency will never lose sight of the fact that [the interests of the Company are centered at the present time in the district surrounding the seal islands of the Pribilof and Commander groups], and that consequently the colonial waters must be visited by the Company's cruisers constantly and in every part, in order to watch and warn the foreign whalers. For this purpose detailed instructions have been formulated for our cruisers, as well as for the commanders of the whale-ships of the Company, which are obliged to serve in the capacity of cruisers when engaged in whaling in Bering Sea. In all cases the command of a vessel under orders to cruise in colonial waters must be given to naval officers, who will thereby find an opportunity to make themselves acquainted with the routine of colonial transactions, while at

In communicating to your Excellency the above regular schedule of the voyages of the colonial fleet, the Board of Administration respectfully requests you, if the interests of the Company require any deviation from this schedule, to take special care that the large vessels, so far as possible, may never remain idle in port, but may be perpetually engaged in voyages of advantage to the Company: that the colonial seas, so far as possible, be visited in every part by the Company's cruisers, for the purpose of keeping watch over the foreigners, and for this purpose, in giving instructions to our cruisers, to conform yourself to the intended movements of the Company's whaling-vessels, which can also do duty as cruisers if they are carrying on their fishery in Behring Sea, and to provide that the Company's vessels designated for visiting the many islands of the Colonies be, so far as possible, under the command of naval officers, in order that they may become acquainted with the condition of colonial affairs, and may gradually fit themselves for performing the most

* The sixth and a portion of the seventh paragraphs being immaterial, have not been translated.

ORIGINAL TRANSLATION.

the same time their rank will give authority to our proceedings.

(Signed) V. POLITKOVSKY,
Presiding Officer.
V. KLUPFEL,
A. ETHOLIN,
N. KUSOF,
Baron WRANGEL,
Members of the Board.

REVISED TRANSLATION.

important duties in the administration of the Colonies.

(Signed) V. POLITKOVSKY,
Presiding Officer.
V. KLUPFEL,
A. ETHOLIN,
N. KUSOF,
Baron WRANGEL,
Members of the Board.

No. 17.

Letter from Captain of the First Rank and Knight Ivan Vassilievitch Furuhelm, Chief Manager of the Russian-American Colonies, to Master Benzeman, of the Imperial Navy. Written from the Colonies, June 20, 1861.

To Master Benzeman, of the Imperial Navy, commanding the steamer "Alexander the Second":

WHEN your steamer is ready for sea, you will leave this port and carry out the following instructions:—

I. You will proceed to the "Kenai Coal Mining Enterprise;" on arrival there deliver the accompanying package to the Commander, Mining Engineer Furuhelm, and immediately begin to take on as much coal as you can in addition to the cargo on board.

2. From English Bay you will proceed to the Island of St. Paul, where you will deliver your passengers, land the supplies, and take on local products for St. Michael's Redoubt. You will then proceed to the redoubt to land supplies and take on whatever cargo Manager Vakhrameief may have on hand.

3. On leaving St. Michael's Redoubt you will shape your course for the Island of St. Paul, where you must take on without fail a full cargo of fur-seal skins and local products such as oil and seal meat, and proceeding to the Island of St. George, take on in addition such products and furs as may have accumulated previous to your arrival there. Thence you will proceed to Unalaska, and furnish Manager Vlassof with such quantities of oil and seal meat as he may be in need of. You will then take on the furs on hand at Unalaska, and proceed to New Archangel.

4. During your visits to the above-mentioned points, you will receive all complaints submitted to you, and, without making any decision whatever, submit them to me on your arrival at New Archangel.

5. At St. Michael's Redoubt Manager Vakhrameief will present to you two servants of the Company, Koshevnikof and Makurin, for punishment for disobeying the orders of the authorities [and for engaging in secret unlawful traffic with natives]; and I would suggest to you to punish them with rods, giving them twenty-five strokes each in the presence of the whole garrison of the redoubt.

6. Among the passengers on your steamer will be the Bishop of New Archangel, Peter, who goes to inspect the northern Missions. You will show his Eminence due attention and respect, and carry out his wishes as far as practicable.

7. During your stay at St. Michael's Redoubt

No. 17.

Letter from Captain of the First Rank and Knight Ivan Vassilievitch Furuhelm, Chief Manager of the Russian-American Colonies, to Master Benzeman, of the Imperial Navy. Written from the Colonies, June 20, 1861.

To Master Benzeman, of the Imperial Navy, commanding the steamer "Alexander the Second":

AS soon as the steamer is quite ready to sail, I request your Excellency to leave this port and to carry out the following instructions:—

I. To proceed to the Kenai coal mines, and, on your arrival there, to hand the inclosed package to the Governor, Master of the Mines Furuhelm, and to take on the steamer as much coal as the space occupied by your cargo permits.

II. From English Bay proceed to the Island of St. Paul, whence, after landing your passengers, delivering the annual supplies, and taking on board the supplies for Fort Michael, you will proceed to that fort to deliver the supplies sent, and to take in there such cargo as will be indicated to you by Governor Vachramev.

III. Leaving Fort Michael, you will direct your course to the Island of St. Paul, where you must immediately take on board a whole cargo of seal-skins, supplies, oil, and seal meat, and, stopping on your way at the Island of St. George to take on board goods and supplies which may be ready on the arrival of the steamer, you will proceed to Unalaska, and, after furnishing Governor Vlassof, on his requisition, with supplies, oil, and seal meat, which you will bring expressly for that purpose from St. Paul, you will take in a cargo of such goods as may be ready at Unalaska, and then proceed to New Archangel.

IV. During the time of your said visits to those places you will listen to all complaints which may be presented to you, and, without coming to any decision about them, you will report them to me on your arrival at New Archangel.

V. At Fort Michael two employés, Koshevnikoff and Makurin, will be presented to you by Governor Vachramev for punishment for violation of Government Regulations and for disobedience, and I therefore advise you to punish each of them with twenty-five lashes in the presence of the whole command of the fort.

VI. The Bishop of New Archangel, Peter, will go by the steamer to inspect the Missions in the north. I request you to show his Reverence all due attention, and to comply with all his wishes.

VII. During your stay at Fort Michael take on

you will cause to be collected a quantity of drift-wood and deliver the same on the Island of St. Paul.

8. If the Managers of the islands should present to you any employes who have served out their terms for transportation from the Colonies, you will take them on board. From the Island of St. Paul the carpenter, Parfentyef, will require a passage to Sitka.

9. It has come to my knowledge that in the present year two whaling-vessels have sailed from San Francisco for the purpose of trading on the Pribilof Islands for of hunting in their vicinity. Consequently, I would suggest that during your presence in those waters you will exercise the duties of an armed cruiser, [to prevent any unlawful acts on the part not only of these two vessels, but of any others which you may find in Bering Sea].

I trust that all the various duties intrusted to you will be carried out to my satisfaction, and that you will return without unnecessary loss of time.

The crew and passenger lists of the steamer are hereby appended.

The issue of rum to your crew will be made under existing regulations.

board the steamer as much wood as you possibly can, and carry it to the Island of St. Paul.

VIII. If the Governors of the island present to you employes who have served their time for transportation from the Colonies, you will receive them on board the steamer. The carpenter, Parfentef, must go from St. Paul to Sitka.

IX. It has come to my knowledge that two whaling-vessels had been sent this year from San Francisco to trade on the Pribyloff Islands. I therefore request your Excellency, during the time appointed for your voyage, to do duty as a cruiser on the exact basis of the instructions herewith inclosed, which have been approved by the Emperor.

I trust that you will execute the instructions given you to my satisfaction, and that you will return without much loss of time.

A list of the crew and passengers of the steamer is herewith inclosed.

The issue of rum to your command will be continued in accordance with existing regulations.

[The portions of this paper not given were correctly translated in United States' Case, Appendix, vol. i.]

No. 18.

Letter from the Department of Commerce and Manufactures to the Board of Administration of the Russian-American Company. Written from St. Petersburg, June 19, 1865.

THE Council of State, after an examination of the proposal submitted by me concerning the revision of the Charter of the Russian-American Company and the organization of the Russian-American Colonies, directs, by a Resolution approved by the Emperor on the 14th June, that in the preparation of the new Charter for the Russian-American Company, and of the regulations for the government of the Colonies, the following principles shall be adopted:—

1. The term of the privileges, rights, and obligations of the Company expires on the 1st day of January, 1882.

8. Permission is given to bring into the ports of New Archangel, on the Island of Sitka, of St. Paul, on the Island of Kadiak, and into such others as may be subsequently found convenient for the purpose, all kinds of merchandize (except intoxicating beverages, powder, and arms) on board both Russian and foreign vessels.

9. Special regulations shall be prescribed concerning the importation of intoxicating liquors and the sale thereof in the Colonies, as well as the furnishing of arms and powder, such regulations to be of such a character as not to impose onerous restrictions upon the inhabitants, and at the same time to guard against abuses and injurious consequences.

15. Every description of trade, except the fur trade, shall be free to all the residents of the Colonies and to all Russian subjects without distinction or limitation.

No. 18.

Letter from the Department of Commerce and Manufactures to the Board of Administration of the Russian-American Company. Written from St. Petersburg, June 19, 1865.

THE Imperial Council, having considered the representation made by me with regard to the revision of the Charter of the Russian-American Company, and the organization of the Russian-American Colonies, by its Resolution approved by the Emperor on the 14th June of this year, has recommended—

That the following principal basis be adopted in the preparation of the new Charter of the Russian-American Company and of the colonial management.

1. The term of the privileges, rights, and obligations of the Company extends to the 1st January, 1882.

VIII. The importation of all kinds of articles of industry and commerce by Russian and foreign vessels is made free at the ports of New Archangel, on the Island of Sitka, at St. Paul, on the Island of Kadiak, and hereafter at others where it will be found desirable (with the exception of spirituous liquors, powder, and arms).

IX. With regard to the importation of spirituous liquors and their sale in the Colonies, and also the supplying the Colonies with arms and powder, it is recommended that special regulations be adopted, which, without oppressing the inhabitants, will prevent the abuse of them, with all their injurious consequences.

XV. The prosecution of every kind of industry (except the fur industry) is permitted to all the inhabitants of the Colonies and to all Russian subjects, without distinction or restriction.

As regards the fur trade: (a) Reserve to the Russian-American Company until the 1st January, 1882, the exclusive right of engaging in the fur trade within the following limits only: On the Peninsula of Alaska, taking for its northern boundary the line from Cape Douglas, in the Bay of Kenai, to the upper shore of Iliamna Lake; upon all the islands situated along the coast of that peninsula, namely, the Aleutian Islands, the Commander Islands, the Kurile Islands, as well as upon the islands situated in Behring Sea, and along the whole western shore* of Behring Sea. As regards the region stretching north-east of the Alaska Peninsula, along the whole of the coast up to the boundary-line contiguous with the possessions of Great Britain, and on the islands situated along that coast, including Sitka and the whole of the Koloshian Archipelago, and likewise on the continent of the northern part of America, the privilege of the Company to exclusively engage in fur trade shall be abolished. (b) All colonial residents and settlers who are Russian subjects shall be allowed to engage in the fur trade, under special regulations to be prescribed upon the subject in all the places within the Russian possessions wherein the exclusive right of the Russian-American Company is abolished as stated above. All other Russian subjects not permanent residents of the Colonies shall be free to trade with the natives for furs, but not to engage in hunting fur-bearing animals.

A true copy:
(Signed)

A. TIMKOVSKI,
Chief Clerk.

In relation, however, to the fur industry—

1. To secure to the Russian-American Company until the 1st January, 1882, the exclusive right to carry on the fur industry and the fur trade within the following limits only:—

On the Peninsula of Alaska, reckoning as its northern limit a line drawn from Cape Douglas, in Kenia Bay, to the head of Lake Iliamna; on all the islands lying along the coast of that peninsula; on the Aleutian, Commander, and Kurile Islands and those lying in Behring Sea, and also along the whole western coast of Behring Sea; but to revoke in the district to the north-east of the Peninsula of Alaska along the whole coast to the boundary of the British possessions, also on the islands lying along this coast, including in that number Sitka and the whole Koloshian Archipelago, and also, on land, to the northern extremity of the American Continent, the privilege granted to the Company of the exclusive prosecution of the said industry and traffic.

2. The colonial inhabitants and the settlers who are Russian subjects residing permanently in the Colonies are permitted to carry on the fur industry, in conformity with the special regulation which must be adopted for that purpose, in those parts of the Russian possessions where the exclusive right to the said industry is not reserved to the Russian-American Company; all other Russian subjects are permitted only to trade with the natives in fur goods, and are not admitted to a share in the fur industry itself.

A true copy:
(Signed)

A. TIMKOVSKI,
Chief Clerk.

[The portions of this paper not given were correctly translated in United States' Case, Appendix, vol. i.]

No. 19.

Concerning the granting of a fourth Charter to the Russian-American Company.

HIS Imperial Majesty has deigned to confirm the opinion of the General Session of the Council of State concerning the revision of the Charter of the Russian-American Company and the organization of the Russian-American Colonies, and to order the same to be carried into effect.

(Signed) KONSTANTIN,
President of the Council of State.

April 2, 1866.

Opinion of the Council of State.†

The Council of State in the Department of the Imperial Domain in its general session having considered the Report of Minister of Finance concerning the revision of the Charter of the Russian-American Company and the organization of the Russian-American Colonies, rendered the following opinion: In modification and explanation of the respective provisions contained in the opinion of the Council of State, approved by the

* It is clear from the context that it is intended to refer to the eastern shore of Behring Sea.

† Copied from the Journals of the Imperial Councils of Public Domain, January 15 and March 2, and of the Plenary Council of March 14, 1866.

No. 19.

Concerning the granting of a fourth Charter to the Russian-American Company.

THE Imperial Council in the Department of Imperial Economy and in general assembly, having examined the communication of the Minister of Finance on the subject of the revision of the Charter of the Russian-American Company and the organization of the Russian-American Colonies, has adopted the following Resolution in modification and explanation of the principal bases of the new Charter of the Russian-American Company and the organization of the Colonies, recited in the Resolution of the Imperial Council, approved by the Emperor 14th June, 1865:

Emperor on the 14th June, 1865, concerning the principal features of the new Charter of the Russian-American Company and of Colonial regulations, it is ordained:—

1. (As to Article 1.) The duration of the privileges to be granted for twenty years to the Russian-American Company shall be reckoned from the date of the approval of the Charter, and not from the 1st January, 1862.

2. (As to Article 15, letter a.) The exclusive right of the Company to engage in the fur trade throughout the entire colonial territory shall be continued; provided that the manner of carrying on such trade shall be determined by regulations, to be prescribed upon consultation with the Ministry of Imperial Domains.

4. (As to Articles 8 and 9.) The provisions to be included in the new Charter of the Company concerning the opening to free trade of the ports of New Archangel and Sitka, and of St. Paul, on Kadiak Island, and the introduction into the Colonies generally of such trade and of industries, also the provisions concerning the importation and sale of spirituous liquors, and the supplying of arms and powder, shall be in accordance with the propositions now submitted by the Company; provided that the commercial monopoly heretofore enjoyed by the Company shall under no pretext be continued.

The original is signed in the journals by the Presidents and members.

Certified by:—

(Signed) YERMAKOFF,
Vice-Director.
K. RADETSKI,
Chief of Division.

True copy:

(Signed) A. TIMKOVSKY.

No. 20.

Proclamation.

IT is hereby proclaimed to all whom it may concern that, if any person or persons, after reading these presents, does not immediately abandon Russian territory [or waters], or continue forbidden trade or traffic, they shall be seized forthwith upon the arrival of the first Russian vessel upon the scene of their illegal transactions, and taken for trial to New Archangel, and all goods, as well as the vessel found in possession of such persons, shall be confiscated.

Given at the port of New Archangel, on the north-west coast of America, this 8th (20th) day of September, 1864.

1. (In Clause 1.) That the period of twenty years for the duration of the new privileges, rights, and obligations of the Russian-American Company be reckoned, not from the 1st January, 1862, but from the date of the confirmation of those privileges.

2. (In Clause 15.) That the exclusive right of carrying on the fur industry and the fur trade be secured to the Company throughout the extent of the colonial territory: at the same time, with regard to the carrying on of the fur industry, fixed regulations must be adopted, by agreement with the Minister of the Imperial Domain.

4. (In Clauses 8 and 9.) That, while including in the new Charter of the Company the regulations concerning the opening of the ports of New Archangel, on Sitka Island, and St. Paul, in Kadiak, for free trade, those regarding the permission to carry on certain industries in the Colonies generally, and those on the subject of the importation and sale of spirituous liquors in the Colonies and the supplying them with arms and powder, the recommendations now presented by the Company on this subject be adopted, without permitting, however, the commercial monopoly which the Company has hitherto enjoyed to be continued in force under any pretext whatsoever.

(Signed) YERMAKOFF,
Vice-Director.
K. RADETSKI,
Chief of Division.

True copy:

(Signed) A. TIMKOVSKY.

No. 20.

Proclamation.

NOTICE is hereby given to all to whom it may concern that if, after reading this, they do not immediately leave Russian territory, and do not desist from prohibited traffic, they will, on the arrival of a Russian vessel, be arrested and sent for trial to New Archangel, Sitka, and their merchandise and ships, if such are found, will be confiscated.

Given at the port of New Archangel, on the north-west coast of America, this 8th (20th) September, 1864.

No. 21.

Letter from the Board of Administration of the Russian-American Company to Alexander Andreievich Baranof, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, April 6, 1817.

THE Board of Administration of the Company incloses herewith, for your information, a copy of a Report from the Kiakhta office, relating to the favourable reception by the Chinese at Kiakhta of fur-seal skins, and desires you to use your best endeavours to send to Okhotsk for the Kiakhta market such kinds of furs as are preferred by the Chinese, and not to send any young sea-lion skins.

Inclosure in No. 21.

Report of the Kiakhta Office to the Board of Administration of the Russian-American Company.

(No. 137.)

February 8, 1817.

THIS office had the honour to receive on the 1st instant the order of the Board of Administration, dated the 14th December, 1816, No. 715, in which directions are given in disposing of the fur-seal skins received by the ship "Suvorof" to observe what kinds of skins are preferred. In reference to this the office has the honour to report that the fur-seal skins from both the ships "Konstantin" and "Suvorof" were sold together, but it was noticed, from the manner in which the skins were received by the Chinese, that the 450 bachelor and young bull skins from the ship "Suvorof" were not accepted as California skins, which are considered by the Chinese to be worth one and a half times as much as the grays. The bulls and young bulls received by the "Konstantin" are valued still higher than the bachelors, although the hair on them is coarse, and cannot be utilized; the skins, however, are large, of good texture, and of whitish-yellow colour, the hair being plucked out so as to leave only the fur on the skin. The fur thus obtained is dyed and is then ready for use. The grays from the ship "Suvorof" have cleaned skin, but short hair, and are rather thin. They were valued lower than those from the "Konstantin," which, although of a paler colour and with reddish spots, are larger in size and have a thicker and longer fur. Our friends (the Chinese) are very particular as to quality, and not less particular as to size; they sort and measure by inches, and they therefore valued the skins brought by the "Konstantin" higher than the bachelors and grays from the "Suvorof." The young sea-lion skins received by this office have been exhibited, but inasmuch as they have no fur and short hair, though they make a very good hide, our friends refused to take them at any price, but asked that they be given a couple of skins to take to Kalgan, where they might ascertain by experiment whether they could be utilized for any purpose.

(Signed) DEMETRI KUZNETZOF,
Manager.
VASSILI JOUKOF,
Bookkeeper.

No. 21.

Letter from the Board of Administration of the Russian-American Company to Alexander Andreievich Baranof, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, April 6, 1817.

IN reply to your communication the Board of Administration incloses herewith an extract from the report of the Kiakhta factory concerning the profitable trade in seal-skins with the Chinese at Kiakhta, and desires that you will make special efforts to send to Okotsk, for Kiakhta, those kinds which are most acceptable to the Chinese. Do not send any sea-lion skins.

Inclosure in No. 21.

Report of the Kiakhta Office to the Board of Administration of the Russian-American Company.

February 8, 1817.

THIS factory had the honour, on the 1st February, to receive the instructions of the Board of Administration of the Company (No. 715 of the 14th December, 1816), in which the Board was pleased to instruct us, in reference to the seal-skins received by the ship "Suvoroff," to notice what kinds are prized more highly than others. In reply, this factory has the honour to report that the seal-skins received by the ship "Suvoroff" and by the "Constantine" were disposed of in a lot, but from the acceptance and demands of the Chinese it was observed that the 450 bachelors and young bulls brought by the "Suvoroff," which were not even called Californias, are valued by the Chinese at half as much again as the grays. The bachelors brought by the "Constantine" were far better, as they value them at twice the price of the grays; and the bulls and young bulls received by the "Constantine" still higher than the bachelors, although the hair on them is coarse and not fit for use. They are large and on the flesh side are very good. They are of a yellowish-white colour. The Chinese pull out the hair and only leave the down, which they dye, and they use them in that condition. The grays brought by the "Suvoroff" are very clean on the flesh side, but the fur is not long. They are thin and of less value than those received by the "Constantine," which, although they are not clean on the flesh side, and although they have a paler colour and reddish spots, are larger and have longer and thicker fur. Our friends have very sharp eyes for quality, and not less for size. They assort and measure them to an inch, and hence they value those brought by the "Constantine" more highly than those brought by the "Suvoroff," both bachelors and grays. The sea-lion skins received by this factory were shown them, but, while they were very good on the flesh side, there was no down on them, and the hair was coarse, so that our friends will not take them at any price; and they only asked for two sea-lion skins, which they intend to carry to Kalgan for the purpose of experimenting with them and seeing whether they cannot put them to some use.

(Signed) DEMETRI KUZNETZOF,
Manager.
VASSILI JOUKOF,
Book-keeper.

No. 22.

Letter from the Board of Administration of the Russian-American Company to Captain of the First Rank and Knight Adolf Carllovitch Etholin, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, March 8, 1843.

THE regulations of the fur-seal industry mentioned in your despatch No. 287 of the 9th May, 1843, are fully approved and confirmed by the Board of Administration, and the proposed close season on the Island of St. George and the Commander Islands is hereby ordered. For the purpose of preserving this most valuable resource, the Board of Administration respectfully requests you to make it your permanent rule to conduct the annual catch in such a manner that not only the rookeries will not be depleted, but that they will be allowed to increase, i.e., that the annual increase should always exceed the annual catch.

In order not to disturb prices at present, an annual shipment of 10,000 fur-seal skins to Russia will suffice.

(Signed)

WRANGEL,
A. SEVERIN,
N. PROKOFYEF,
N. KUSOF,

Directors.

No. 23.

Letter from the Board of Administration of the Russian-American Company to Captain of the Imperial Navy of the Second Rank Alexander Ilitch Rudakof. Written from St. Petersburg, April 22, 1853.

FROM despatches received from your Excellency's predecessor, we learn that the fur-seals in the Colonies are rapidly increasing, and as there is every appearance of a good market for the same, the Board of Administration instructs you herewith to make all necessary arrangements for carrying on the sealing industry on all the islands frequented by these animals to the full extent of their capacity, without depleting the rookeries. The rules for the protection of females, &c., will be strictly observed as heretofore.

Of the fur-seal catch you will forward annually 6,000 skins to Kiakhta by way of Ayan; 10,000 skins to Shanghai, and the remainder to St. Petersburg on the Company's ships.

At the present time, the Board of Administration suggests the discontinuance of the present process of salting skins, as being unfavourable to the sale of fur-seal skins.

(Signed)

V. POLITKOVSKY,
Presiding Officer.
V. KLUPFEL,
A. ETHOLIN,
N. KUSOF,
Baron WRANGEL,

Members.

No. 22.

Letter from the Board of Administration of the Russian-American Company to Captain of the First Rank and Knight Adolf Carllovitch Etholin, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, March 8, 1843.

THE Board of Administration fully approves the arrangements for killing seals described by you in despatch No. 287 of the 9th May, 1842, and permits you to institute on the Commander Islands and St. George the close season which you propose. In general, for the greatest possible preservation of this precious animal, the Board of Administration requests you to adopt as an invariable rule the following: To prosecute the annual killing of the seals in such manner that they may not only not be exterminated on the rookeries, but, on the contrary, may continually increase in numbers, that is to say, that the amount of the annual increase may be always greater than the number of animals killed.

At the present time the shipment of 10,000 seal-skins to Russia every year will be sufficient to prevent a fall in prices.

(Signed)

WRANGEL,
A. SEVERIN,
N. PROKOFYEF,
N. KUSOF,

Directors.

No. 23.

Letter from the Board of Administration of the Russian-American Company to Captain of the Imperial Navy of the Second Rank Alexander Ilitch Rudakof. Written from St. Petersburg, April 22, 1853.

SEEING, from despatches received from your Excellency's predecessors that the seals in the Colonies are rapidly increasing in numbers, and foreseeing a regular demand for them, the Board of Administration instructs you to make corresponding arrangements, in order that hereafter, until further instructions, the killing of seals may be prosecuted on all the islands which they frequent to such an extent as may seem possible without impoverishing the rookeries. The rules for the protection of the cows, &c., must be observed as heretofore.

Of the seals killed, 6,000 must be sent every year by way of Ayan to Kiakhta, 10,000 to Shanghai, and all that remain to St. Petersburg by the vessels going around the world.

At the same time the Board of Administration suggests that you stop salting the seal-skins, as has been done heretofore, since it has a bad effect upon their sale.

(Signed)

V. POLITKOVSKY,
Presiding Officer.
V. KLUPFEL,
A. ETHOLIN,
N. KUSOF,
Baron WRANGEL,

Members.

Letter from the Board of Administration of the Russian-American Company to Captain of the First Rank and Knight Stepan Vassilievitch Voyevodsky, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, April 24, 1854.

IN his despatch No. 318, dated the 30th May, 1853, Captain Rudakoff, in reporting the increase of fur-seals on the Island of St. Paul, and his action relating to the fur-seal industry, requests a decision from the Board of Administration as to the number of seals to be killed in the future, and the grade of skins preferred.

The Board of Administration, therefore, respectfully requests your Excellency to order the killing principally of bachelors, the older the better, since our customers are eager to secure large skins. Small seals should be killed only in numbers sufficient to supply the demand for oil and food for the natives. Since, however, at present, the demand for fur-seal skins has somewhat diminished, the catch may be limited to such a number as will not interfere with a regular increase, until a greater demand has again been created. To this end the Board of Managers is devoting all its energies.

(Signed) V. KLUPFEL,
Presiding Officer.
A. ETHOLIN,
N. KUSOF,
Baron WRANGELL,
Members.

Letter from the Board of Administration of the Russian-American Company to Captain of the First Rank and Knight Stepan Vassilievitch Voyevodsky, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, April 24, 1854.

CAPTAIN of the Second Class Rudakoff, in his despatch No. 318 of the 30th May, 1853, reporting to the Board of Administration the increase of seals on the Island of St. Paul, and the arrangements made by him, in consequence, with regard to killing them, inquires of the Board of Administration what number of them must be killed in future, and what kinds are preferred.

In reply, the Board of Administration respectfully requests your Excellency to order that bachelors be killed in preference, the older the better, as the purchasers prefer large skins. Hence small seals must be killed only in such numbers as are necessary for obtaining oil to supply the demand; and, as at the present time the demand for seal-skins has considerably decreased, they must be killed, as a rule, only in such numbers as will not affect their increase until a greater demand sets in, for which the Board of Administration is making constant exertions.

(Signed) V. KLUPFEL,
Presiding Officer.
A. ETHOLIN,
N. KUSOF,
Baron WRANGELL,
Members.

Letter from the Board of Administration of the Russian-American Company to Captain of the Second Rank Prince Maksutof, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, November 8, 1854.

AT the present time the market for fur-seal skins is limited to the number of 43,000, namely, in New York, from 20,000 to 21,000; at St. Petersburg, from 15,000 to 16,000, and at Irkutsk, from 5,000 to 6,000 skins, which must all be of the best quality, i.e. full-grown males, half-grown males, large and medium bachelors.

The whole number sent to New York may be salted, but the buyers demand that all fat or blubber be removed very carefully previous to salting, for the better preservation and further preparation of the skins. The skins may be shipped to New York by San Francisco, preferably as supplementary freight on the clipper of the New York and California trade, as in this manner they can be forwarded quite cheaply. At St. Petersburg only dried skins are in demand. These should be shipped in our own vessels, but in the absence of such, they may also be shipped by San Francisco or Victoria, preferably on ships bound for London, where they will be consigned to Pelly and Co., or to Hamburg, consigned to Strong and Co., thence to be forwarded to their destination, since no ships bound for St. Petersburg or Kronstadt can be found at San Francisco, and to charter special vessels is very expensive.

Letter from the Board of Administration of the Russian-American Company to Captain of the Second Rank Prince Maksutof, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, November 8, 1854.

AT present the sale of seal-skins has risen to 43,000, namely, 20,000 to 21,000 at New York, 15,000 to 16,000 at St. Petersburg, and 5,000 to 6,000 at Irkutsk. They must be of the best quality, that is to say, large and medium bulls, young bulls, and bachelors.

The whole quantity sent to New York may be salted, but the purchasers request that in salting them the oil be removed from them as carefully as possible, for the better preservation and for the further dressing of the skins. They must be sent there by way of San Francisco, preferably, to complete the cargoes of vessels going to New York, because by this arrangement the delivery of them will cost much less.

Only dried seal-skins are in demand at St. Petersburg, and they must be sent there by our own vessels going round the world, or, in the absence of these, by way of San Francisco or Victoria; but, preferably, to complete cargo on vessels going to London, to Mr. Pelly, or to Hamburg, to Mr. Sturm, for further dispatch to their destination, as at San Francisco it is impossible to find a vessel with cargo going to St. Petersburg or Kronstadt, and it would be

At Irkutsk also, only dry skins are required; they may be forwarded by Ayau.

At the same time the Board of Administration asks you to make arrangements to enable you, with the proposed increase in the fur-seal catch to 50,000 skins per annum, to ship 43,000, as indicated above, in due time to their several destinations, storing the remainder at New Archangel for use in case of special demands. In order that these stored skins may not spoil in the warehouses you will make it a rule to ship the reserve of each year to Russia in the following year, replacing them from the new surplus. The killing of small seals should be avoided altogether, if possible, but, if it must be done, for the sake of procuring food, you must find means of using the skins for clothing in the Colonies, keeping a strict watch to prevent their falling into the hands of foreign traders. In the opinion of the Board there can be no difficulty in preparing such small skins in the Colonies, where so many men are in need of employment whom we can more easily assist in this way than with direct charity.

In connection with this object of finding a market for the small seal-skins, the Board of Administration would ask you to introduce their use as an article of clothing among the savages of the northern districts, who may purchase them with other furs, which the Company could dispose of at a greater profit. The principal object in trying to accustom the natives to the use of small fur-seal skins for their clothing is, of course, to prevent their falling into the hands of foreigners.

(Signed) V. KLUPFEL,
Presiding Officer.
N. TEBENKOF,
V. ZAVOIKO,
Members.

No. 26.

Letter from the Board of Administration of the Russian-American Company to Captain of the First Rank and Knight Stepan Vassilievitch Voyevodsky, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, June 5, 1857.

IN reply to your Excellency's despatch No. 41 of the 9th March, concerning the shipment of furs to New York and Shanghai, the Board of Administration has the honour to inform you that the annual demand for fur-seal skins in Russia has now increased to 15,000 dry skins, of which 5,000 are for the Kiachta market; at this place only 2,000 beavers will be required. The remaining number of fur-seals, 12,000 or more, principally salted (in which shape they are preferred), you will dispatch in the autumn to Messrs. Lobach and Schepler, of New York, immediately after the arrival of the ship from the districts, without subjecting the skins to any kind of treatment at New Archangel, leaving them just as they are when they arrive from the districts, and in the same packages.

[117]

very expensive to charter one for that special purpose.

Only dried seal-skins are in demand at Irkutsk, and they must be sent by way of Ayau.

The Board of Administration therefore requests you to make arrangements so that in future, until there is a possibility of increasing the demand for seal-skins, about as many as 50,000 may be killed in the Colonies every year, of good quality as above directed, 43,000 of which will be sent at the proper time to their destination, and the remainder kept in reserve at New Archangel for the contingency of a special demand, and, in order that those stored may not be injured by lying so long in the warehouses, you will make it a rule to ship them the following year to Russia in exchange for the skins of the new catch which will remain in the warehouses. Furthermore, you will endeavour, so far as possible, to kill none of the small kinds of seal, but if it is impossible to avoid this, you are permitted to use them for clothing in the Colonies, taking special care that they are not sold to foreign vessels undesired. In the opinion of the Board of Administration there will be no difficulty in dressing them in the Colonies, as there are many people there in need of work, especially in the districts, to whom this would furnish the means of earning something.

At the same time, in order to find a market for small seal-skins, the Board of Administration requests you to endeavour to introduce the use of them among the savages in the north, with whom they might be exchanged for furs, the acquisition of which would be of great advantage to the Company. In doing this we have chiefly in view the fact that by this means the savages would accustom themselves to the use of seal-skins for their clothing, and thereby, so far as possible, the sale of them to foreign vessels would be prevented.

(Signed) V. KLUPFEL,
Presiding Officer.
N. TEBENKOF,
V. ZAVOIKO,
Members.

No. 26.

Letter from the Board of Administration of the Russian-American Company to Captain of the First Rank and Knight Stepan Vassilievitch Voyevodsky, Chief Manager of the Russian-American Colonies. Written from St. Petersburg, June 5, 1857.

IN reply to your Excellency's despatch No. 41 of the 9th March, with regard to shipping furs to New York and Shanghai, the Board of Administration has the honour to inform you that the annual demand for seal-skins in Russia has now risen to 15,000, 5,000 of which are to be shipped to Kiachta. Only 2,000 river-beaver skins are required for Kiachta; the remaining number of seal-skins, say up to 12,000 and more, preferably salted ones, which are valued more highly there, you are instructed to send to New York to Messrs. Lobach and Shepler, in the autumn, immediately after the arrival of the vessels from the districts, without subjecting them to any preparations at New Archangel, and leaving them in the same condition and packed in the same way in which they are received from the districts.

O

At the same time the Board of Administration places upon the men in charge of sealing gangs the strictest injunctions to discontinue the killing of small gray seals, and in no case to ship them away from the Colonies, since they seriously interfere with profitable sales of fur-seals in Russia and in foreign markets, where only the larger skins secure good prices.

(Signed) V. POLITKOVSKY,
Presiding Officer.
V. KLUPFEL,
A. ETHOLIN,
M. TEBENKOF,
Members.

No. 27.

Letter from the Chief Manager of the Russian-American Colonies to the Board of Administration of the Russian-American Company. Written from the Colonies, October 7, 1857.

Concerning Fur-seals and Beavers.

REFERRING to the despatches of the Board Nos. 635 and 650, dated respectively the 5th and 10th June, and received on the 7th September of this year, I have the honour to report that the instructions contained therein in regard to fur-seals and beavers will be carried into effect at once. From the fur-seal skins on hand 10,000 have been packed and forwarded by the ship "Czarevitch" to Kronstadt; 5,000 skins will be put aside for shipment to Kiachta by way of Ayan, and the remainder, about 5,000 skins, not including grays, will be forwarded to New York, together with all the beaver-skins which can be collected, except the 2,000 skins destined for Kiachta.

The fur-seal skins require no working over in New Archangel, but when the fact is taken into consideration that they will have to stand the passage across the Equator and the Tropics twice, it will hardly be safe to send them to New York, as indicated in the despatch of the Board, in the same packages in which they are received from the various districts, i.e., in bundles of several tens of skins, bound by leather straps.

According to information received by me from Messrs. Lobach and Shepler, the people at New York were greatly pleased with the way in which our skins were forwarded and packed, the same having been received in good order, and it is probable that it would be better to continue packing in the same way, and, by way of experi-

With regard to the river-beaver skins the Board of Administration, although it has received information that the beaver-skins have now fallen in the market at New York to 2 r. 72 k. per skin, it still requests you, as the prices are not high in other places, to ship the said beaver-skins (except 2,000 which are needed for Kiachta) to New York without fail. The Board will communicate to you hereafter concerning further arrangements with regard to the beaver-skins.

Furthermore, the Board of Administration requests you to send no other furs to New York, except, perhaps, white foxes, which have gone down to almost nothing at Kiachta. You must send no furs to Shanghai without special instructions.

At the same time the Board of Administration also requests you to give strict instructions to the canoe-men ("bidarkimen") to stop, as far as possible, killing the small gray seals, and on no account to ship them from the Colonies, because they greatly interfere with the profitable sale of seal-skins in Russia and in the foreign market, as the large skins alone are in special demand and can be sold at good prices.

(Signed) V. POLITKOVSKY,
Presiding Officer.
V. KLUPFEL,
A. ETHOLIN,
M. TEBENKOF,
Members.

No. 27.

Letter from the Chief Manager of the Russian-American Colonies to the Board of Administration of the Russian-American Company. Written from the Colonies, October 7, 1857.

Concerning Fur-Seals and Beavers.

IN reply to the despatches of the Board of Administration (Nos. 635 and 650 of the 5th and 10th June of this year), received on the 7th September, I have the honour to report that in future the instructions with regard to seals and river-beavers given in those despatches will be carried into due execution. But of the seal-skins now on hand 10,000 are packed up, which will be sent by the ship "Czarevitch" to Kronstadt, 5,000 will be set apart for shipment to Kiachta by way of Ayan, and the remainder, of which there will be about 9,000 (leaving out the small gray seal-skins), will be sent to New York, together with as many beaver-skins as can be collected after putting aside 2,000 of them for Kiachta.

The seal-skins need no preparation at New Archangel, but it would hardly be safe to ship them to New York in the same packing (as directed in the despatch of the Board of Administration) in which they are received from the districts—that is to say, tied up only with straps in bundles of several tens each—owing to the fact that they must bear transportation twice across the Tropics and the Equator.

From information received by me from Messrs. Lobach and Shepler, of New York, they are very well satisfied with the packing in which our goods were shipped there, as they arrived in good condition, and it would probably be better, in sending goods in the previous packing, to send only one or two bundles as an experiment in the

ment, to send two or three packages in the condition in which they are received from the colonial districts.

Messrs. Lobach and Shepler advised that in packing the skins should not be folded on account of their liability to break at the folds; this advice will be followed in future in shipping of skins around the world.

The salting of fur-seals, which had been stopped by order of the Board, will be renewed next year; but inasmuch as the orders to that effect will reach the Islands of St. Paul and St. George not earlier than in the summer of that year, the receipt of a sufficient number of salted skins from those islands in the same year cannot be guaranteed.

The experiment of salting fur-seal skins in New Archangel will also be made.

In regard to gray seals, I have the honour to express the opinion that the number of such seals taken should be increased. Until now, only such number of these seals was taken as was necessary for obtaining blubber to supply the wants of the Aleuts on the islands and to send to St. Michael's Redoubt in exchange for skins furnished by the independent natives, but of late the demand for blubber in New Archangel itself has been on the increase by reason of the increase in the number of steamers and engines.

The blubber to be found in this market comes very high, and in order to reduce the expense I sent orders to the Islands of St. Paul and St. George for supplies of fur-seal blubber, and have now received about a thousand gallons of seal oil, the cost of which at San Francisco would be about 8,000 paper roubles. In view of the above-stated considerations, while issuing orders for the suppression, as far as practicable, of the killing of small gray seals, fit only for oil and meat, as winter supplies, I find it necessary to request definite instructions from the Board of Administration as to the absolute suspension of such killing. Should, however, the Board, in view of the above-stated circumstances, authorize the killing of gray seals in such quantities as may be necessary for the supplies of blubber and meat required by the natives and residents on the Islands of St. Paul and St. George, in such case the question will arise as to the disposition of the skin.

At the present time, there are about 5,000 such skins in the warehouse, and if about 3,000 skins a-year be taken, then in a few years a quantity will be accumulated which will require a correspondingly large place of storage. I am inclined to the opinion that in case the sending of such skins to Russia and foreign markets should prove unprofitable, an attempt might be made to dispose of them in the Colonies for making garments and coats, which, if the tanning is good, may be substituted for sheep-skin coats.

As an experiment a few garments might be made from the skins now lying unused in warehouses.

In conclusion, I have the honour to report to the Board of Administration that, according to information now received, the fur-seal rookeries in all places, but particularly on the Island of St. Paul, are so crowded that all available points

packing in which they are received from the districts of the Colonies.

Messrs. Lobach and Shepler advise me, in packing the skins taken, not to double them because they break at the folds, by which advice I will be guided in future in shipping goods around the world.

The salting of the seal-skins, which was stopped by order of the Board of Administration, will be recommenced next year; but as the instructions on this subject will reach the Islands of St. Paul and St. George only in the summer of next year, it is impossible to guarantee that we shall be able to procure a sufficient quantity of salted seal-skins next year.

The experiment of salting the skins at New Archangel will also be made.

With regard to the small gray seal-skins, I have the honour to express the opinion that only such a number of them have been killed hitherto as was necessary to procure the oil the demand for which, without speaking of the unavoidable necessity of supplying the Aleuts on the islands and of shipping a quantity to Fort Michael for exchange for furs with the savages there, is increasing in New Archangel itself, owing to the increased number of steamers and steam-engines.

The oil purchased costs very dear; hence, having in view the greatest possible economy in the expenditure of money, I made arrangements on the Islands of St. Paul and St. George to procure oil from the seals, and about 250 buckets of it have been received. The purchase of this quantity of oil at San Francisco would have cost about 8,000 paper roubles.

For the above-mentioned reasons, although I am making arrangements for stopping the killing of small gray seals, so far as possible, they being only fit to furnish oil and supplies of meat necessary for the winter, still, I find it necessary to respectfully request the Board of Administration to give me definite instructions with regard to entirely stopping the killing of this kind of seal; but if the Board of Administration should see fit, in consideration of the circumstances mentioned, to permit me to kill so many of the small gray seals as may be necessary to procure oil and supplies of meat for the winter for the inhabitants of the Islands of St. Paul and St. George, in that case the question would arise as to the disposition to be made of the skins of these small animals.

At the present time there are about 5,000 of them in the warehouses, and by taking 3,000 every year a considerable number may accumulate in a few years, requiring a corresponding space for storage.

I suggest that, if it is not yet expedient to send gray seal-skins to Russia and to foreign markets for sale, then we might try the experiment of using them in the Colonies for robes and overcoats, which, after being well dressed, might take the place of the common sheep-skin coats.

By way of experiment a few robes might be made of these skins, which so far remain unused in the warehouses.

In conclusion, I have the honour to report to the Board of Administration that, from information which has now been received, the seal rookeries everywhere, and especially on the Island of St. Paul, have increased to such an extent

ORIGINAL TRANSLATION.

for breeding are filled, and they appear to be adequate, so that an extension of the catch is deemed indispensable; and this will be carried into effect next year.

No. 28.

Letter from the Chief Manager of the Russian-American Colonies to the Board of Administration of the Russian-American Company. Written from the Colonies, January 13, 1859.

Concerning Fur-Seals.

IN accordance with the instructions of the Board of Administration in despatch No. 697, dated the 5th June, 1858, and received on the 2nd November, there were sent by the ship "Kamchatka," in addition to the 10,000 ordered by former instructions, 10,664 skins which had been prepared and packed before the receipt of despatch No. 697, for shipment to New York; thereafter there remained 3,600 dry skins and 1,176 salted skins, which are now sent per brig "Kadiak" to San Francisco, for transmission to Messrs. Lobach and Shepler.

In regard to the inquiry of the Board as to the number of fur-seals which might be taken annually in the Colonies without detriment to the preservation of the species and to the rookeries, I have the honour to report that, according to information received from the Manager of the Pribyloff Islands, where the most important rookeries are situated, and from the Commander Islands, the numbers of seals on all the rookeries have increased to such an extent as to render the space quite inadequate, and that it would be quite possible to take from all the rookeries a total of 70,000 skins in one season, including the grays, but that, in order to take such quantity, it would be necessary to increase the number of sealers on the Pribyloff Islands, and the supply of firewood for the drying of the skins.

It may be positively stated that the taking of 70,000 skins each year for a long period to come will not result in the impoverishment of the rookeries.

No. 29.

Letter from Captain of the First Rank and Knight Ivan Vassilievitch Furrhelm, Chief Manager of the Russian-American Colonies, to the Board of Administration of the Russian-American Company. Written from the Colonies, May 13, 1860.

I HAVE the honour to submit to you herewith a list of the furs obtained during the past year from the districts of the Colonies, from which the Board will learn the following:—

Eight hundred and ninety-two more sea-otters were killed than in the year 1858. There has not been so good a season since 1844, and the increase is confined to the Kadiak district, Unalaska, and Urupa.

With reference to the sea-otter industry, the Kadiak office reports to me that pursuant to the

REVISED TRANSLATION.

that all the places which they frequent are entirely filled, and there is such a need of room for them that it is necessary to increase considerably the number of seals killed; and this shall be done next year.

No. 28.

Letter from the Chief Manager of the Russian-American Colonies to the Board of Administration of the Russian-American Company. Written from the Colonies, January 13, 1859.

Concerning Fur-Seals.

In accordance with the instructions of the Board of Administration given in despatch No. 697 of the 5th June, 1858, received on the 2nd November, besides the 10,000 seal-skins ordered by previous instructions, 10,664 were sent by the ship "Kamchatka" of those which had been prepared and packed prior to the receipt of despatch No. 697 for shipment to New York, and there still remain 3,600 dried and 1,176 salted skins, which will now be sent by the barque "Kadiak" to San Francisco, to be forwarded to Messrs. Lobach and Shepler.

With regard to the question of the Board of Administration as to what number of seals may be killed every year in the Colonies without detriment to the preservation of the species and without impoverishing the rookeries, I have the honour to report that, as is evident from the Reports of the Governors of the Pribyloff Islands, where the principal seal rookeries are found, and even those of the Commander Islands, the seals have increased in numbers on all the accessible places to such an extent that the areas occupied by them appear crowded, and it is evident from these Reports that it would be possible to kill in all these places, including the small gray seals, as many as 70,000, and even more; but for this it would be necessary to increase the number of hunters, and to furnish a sufficient supply of wood to the Pribyloff Islands for drying the skins.

It may be said with certainty that no impoverishment of the rookeries will appear for a long time from the killing of as many as 70,000 fur-seals.

No. 29.

Letter from Captain of the First Rank and Knight Ivan Vassilievitch Furrhelm, Chief Manager of the Russian-American Colonies, to the Board of Administration of the Russian-American Company. Written from the Colonies, May 13, 1860.

I HAVE the honour to present herewith a Table of the skins procured last year from the districts of the Colonies, from which the Board of Administration will see that 892 more sea-otters were killed than in 1858. There has not been such a rich catch since 1844, and this increase was owing entirely to the number killed in the Kadiak district, at Unalaska, and at Urup.

As regards the otter catch, the Kadiak factory has reported to me that the Chugatches, living at

arrangements made by my predecessor the Chugatch people living in the vicinity of the Konstantin Redoubt, have been permitted to hunt independently of the general hunting party, in places known only to themselves. On their arrival at Kadiak, however, it appeared that they had been hunting on grounds upon which a close season had been proclaimed for 1859, and where our principal party was to have hunted during the current year. Under such unfortunate circumstances, I cannot hope to meet with the same success in the sea-otter industry as Rear-Admiral Voyevodsky attained during the last year of his management of the Colonies.

Of beavers 760 more were killed last year than in 1858. The annual difference in the figures of this industry depends altogether upon local and climatic circumstances, to which the northern natives are more or less exposed. The excess of this year over last came chiefly from St. Michaels and the Kolmakovsky Redoubts. Castoreums also show an excess of 470 pair over 1858.

Of fur-seals the output was 11,160 less than in 1858. The reason for this decrease given by the Manager of the Island of St. Paul is the late spring, during which the females were prevented by ice from reaching their hauling-grounds and thereby lost their young. In explanation of this occurrence I inclose a copy of a Report of Mr. Repin, the Manager of the Island.

I have dispatched Lieutenant Wehrman, of the Imperial Navy, to superintend the new buildings on St. Paul Island and to reorganize the labouring force, which had become demoralized to a certain extent.

An excess of 1,143 in this year's output over that of last year appeared as to foxes, and 1,174 as to blue foxes. A decrease appears in lynx of 178 and in sables of 219.

According to the Report of the Manager of Copper Island, sea-otters are increasing there, and I have issued the strictest orders to prevent their being disturbed. On Atka Island a decrease in sea-otters has necessitated declaring a close season.

Only 1 pound 36 lbs. of walrus ivory have been received. The manager of Unga Island reports that on the northern side of the Alaska Peninsula, in Moller Bay, 500 lbs. were obtained in 1856 and 1857, and stored there. On his visit to Moller Bay, in 1858, the ivory was not found, the walrus rookery had been destroyed, and the storehouse burned. Who committed this robbery is not known, but a few pieces of pilot bread and other remnants of food, as well as an oar from a whale-boat and tracks of boots, point to the commission of the deed by whalers.

This I have the honour to report to the Board of Administration.

Copy of letter of Repin, Manager of the Island of St. Paul, dated the 20th June, 1859, addressed to the Chief Manager.

Most Gracious Sir,

I write to you to let you know that I received all your orders and instructions, and also other instructions from the captain of the steamer.

[117]

Fort Constantine, were permitted, with the consent of my predecessors, to carry on this hunting, apart from the party sent out by the factory, in places known to them alone: after their arrival at Kadiak, however, with a very large number of sea-otters, it appeared that in the summer of 1859 they had hunted in places where there was a close time, and where it will be necessary to send a party from Kadiak this year. After such an occurrence, unfortunately, I do not hope to have as successful results from the hunting as Rear-Admiral Voyevodsky in the last year of his administration of the Colonies.

Seven hundred and sixty more river-beavers were killed than in 1858. The yearly variation in the figures of this industry depends entirely on local climatic causes, which favour the northern savages more or less in their hunting. This increase, as compared with the number taken last year, was gained at Forts Michael and Kolmakovsky.

Four hundred and seventy more pairs of castoreums were taken than in 1858. Eleven thousand one hundred and sixty fewer fur-seals were killed than in 1858. The Governor of the Island of St. Paul assigns as the cause of their decrease the lateness of the spring, owing to which the cows, in forcing their way to the rookeries over the ice, lost their young.

I have sent Lieutenant Verman to the Island of St. Paul to attend to various commissions and to put an end to some disturbances there arising from relaxation of discipline.

Foxes killed in excess of 1858	1,143
White foxes in excess of 1858	1,174
Lynxes, fewer than in 1858	178
Sables in excess of 1858	219

On Copper Island, according to the Governor's Report, the sea-otters are increasing in numbers, and very strict orders are now given not to disturb them until the decrease of that animal in the Government of the Island of Atka renders a close time necessary there.

Only 1 pound of walrus tusks was received. The Governor of the Island of Unga has reported to me that on the northern side of the peninsula of Alaska, in Mollerovsky Bay, tusks to the amount of 500 pounds were taken in the course of 1856-57, and were stored there. On my arrival at Mollerovsky Bay, in 1858, the tusks which had been collected were missing, the walrus rookeries had been ruined, and everything had been burned. It is not known who stole the tusks, but there were found white biscuits, provisions, a whale-boat oar, and the prints of boots, which proved that it was the whalers.

I have the honour to report this to the Board of Administration.

(Not in Russian text.)

I see that you wish me to have killed on both islands not less than 60,000 fur-seals of various grades.

I would say to you, most gracious Sir, that, in my opinion, it would not be advisable to kill so large a number this year on St. Paul Island.

The female seals came this year in May at the usual time after the "sekatshes" had landed. Only a few had come ashore, when, with a strong north-west wind, the ice came from the north. It closed around the islands and was kept there by the wind for thirteen days. The ice was much broken and was kept in motion by the sea.

It is an actual fact, most gracious Sir, that the females could not reach the shore through the ice. Some of the Aleuts went out as far as it was safe to go on the larger pieces of ice, and they saw the water full of seals. When the north-west gale ceased, the ice remained for nearly a week longer, being ground up in the heavy swell, and no females could land. A few "sekatshes" tried to go out to sea, but did not succeed. On the 10th June the first females began to land, but they came slowly, and it was very late when the rookeries began to fill. Very few of the females—no more than one out of twenty or twenty-five—had their young after they came ashore. Nearly all must have lost them in the water, as for many weeks since the ice went away the bodies of young seals have been washed up by the sea in thousands. This misfortune I must humbly report to you. It was not the work of man, but of God.

Your very humble servant,

(Signed) IVAN REPIN.

Manager of St. Paul Island.

(Not in Russian text.)

No. 30.

Letter from Captain of the First Rank and Knight Ivan Vassilievitch Furukelm, Chief Manager of the Russian-American Colonies, to the Board of Administration of the Russian-American Company. Written from the Colonies, July 16, 1863.

IN reply to the communication addressed to my predecessor by the Board of Administration on the 31st January of this year, No. 111, I have the honour to submit, for your consideration, the subjoined statement of the cost of preparing the dried and salted fur-seal skins:—

REQUIRED for the Drying of Seal-skins.

	R.	k.
Wood for each 1,000 skins, 2½ fathoms, making the cost of each skin	2	85
For tying the bundle of 100 skins, 12 arshin sea-lion hide straps (a medium-sized skin worth 40 kopecks yields 16 arshin straps), making for one skin	0	10
Total	2	95
Or	3	00
To this we must add the pay of the Aleuts for each bachelor seal-skin	75	00
Total	78	00

No. 30.

Letter from Captain of the First Class and Knight Ivan Vassilievitch Furukelm, Chief Manager of the Russian-American Colonies, to the Board of Administration of the Russian-American Company. Written from the Colonies, July 16, 1863.

NOTING, for immediate execution, the contents of despatch No. 111 of the 31st January, 1863, from the Board of Administration, I have the honour to submit, for the Board's consideration, the following estimates as to the cost of preparing the dried and salted seal-skins:—

REQUIRED for the Drying of Seal-skins.

	R.	k.
Wood for each 1,000 skins, 2½ fathoms, making the cost of each skin	2	85
For tying the bundle of 100 skins, 12 arshin sea-lion hide straps (a medium-sized skin worth 40 kopecks, yields 16 arshin straps), making for one skin	0	10
Total	2	95
Or	0	03
To this we must add the pay of the Aleuts for each bachelor seal-skin	0	75
Total	0	78

The frames are always prepared in Sitka, and are sent to the islands. Their cost is not calculated, on account of its insignificance.

ORIGINAL TRANSLATION.

REQUIRED for the Salting of Seal-skins.

	R. k.
The casks contain an average of 73 skins, and cost 5 roubles; the iron hoops and fastenings weigh 17 pounds, costing 6 r. 80 k.; a total of 11 r. 80 k.; making for one skin	0 16
For the preliminary salting on the islands 3½ pounds of salt are used for each skin; during the final salting in New Archangel, 8 pounds of salt are added to each cask of 73 skins, making 4¼ pounds for each skin; a total of 7·9 pounds of salt	0 79
For tying each skin 1½ sol. twine	0 02½
For the wear and tear of cooper's instruments and material, approximately for each skin	0 01
Total	0 98
To this must be added the pay of the Aleuts for each bachelor fur-seal skin	0 75
Total	1 73

Concerning the processes employed in preparation according to both methods, I have the honour to report to the Board of Administration:—

The dried fur-seal skins are prepared as follows: After separating the skin from the meat and carefully removing the blubber, the skin is stretched upon a frame, remaining thus until it is finally dried. After removing the skin from the frame it is folded twice lengthwise and packed in bales containing from 50 to 100 skins, according to size, and finally the bales are bound with sea-lion straps.

The salted fur-seal skins are treated as follows, in accordance with the instructions of Mollison, inclosed in a despatch of the Board of Administration, No. 81, of the 25th January, 1860:

After the skins are removed and stripped of meat or fat, they are strewn with salt and stacked in kenches. Later, when the labourers have more time, the skins are taken from the kenches, and the inner side of each skin covered with a thick layer of salt. Another skin is laid on top of this with its inner side down. Any protruding edges of the skins are apt to spoil, being removed from the influence of the salt; consequently they are carefully doubled in and both skins together rolled into a cylindrical shape. This roll is then lashed with strong seine twine. Finally the rolls are again tied together in bundles of from five to ten.

Though the labour of carrying the skins on the shoulders of men and women, the carrying of salt from the beach to the salt-houses, and later the carrying of the heavy salted skins from the magazine to the beach to be loaded into bidaras for transmittal to the ship is very great, yet the process of drying presents still greater difficulties on account of the constant fog and rain prevailing on the Pribyloff Islands. It may be positively stated that of the 25,000 dried skins prepared annually on these islands less than one-fifth can be dried in the air. The remainder are dried in sod houses by the means of fires, or in the huts of the Aleuts, which are anyway too small and ill-ventilated. For this reason, and also on account of the difficulty of obtaining wood in quantities sufficient for the drying of seal-skins, the salting by the Mollison method offers the greatest advantage.

REVISED TRANSLATION.

REQUIRED for the Salting of Seal-skins.

	R. k.
The casks contain an average of 73 skins, and cost 5 roubles; the iron hoops and fastenings weigh 17 pounds, costing 6 r. 80 k.; a total of 11 r. 80 k.; making for one skin	0 16
For the preliminary salting on the islands, 3½ pounds of salt are used for each skin; during the final salting at New Archangel, 8 pounds of salt are added to each cask of 73 skins, making 4¼ pounds for each skin; a total of 7·9 pounds of salt	0 79
For tying each skin, 1½ sol. twine	0 02½
For the wear and tear of cooper's tools and material, approximately, for each skin	0 01
Total	0 98½
To this must be added the pay of the Aleuts for each bachelor seal-skin	0 75
Total	1 73½

Concerning the processes employed in the preparation of the skins, according to both methods, I have the honour to report to the Board of Administration:—

The dried seal-skins are prepared as follows: After separating the skin from the meat and carefully removing the blubber, the skin is stretched upon a frame, remaining thus until it is finally dried. After removing the skin from the frame it is folded twice lengthwise and packed in bales containing from 50 to 100 skins, according to size, and finally the bales are bound with sea-lion straps.

The salted seal-skins, in accordance with Mollison's process, inclosed in the despatch of the Board of Administration (No. 81 of the 25th January, 1860), are prepared in the following way:

After the skins are removed and stripped of meat, they are strewn with salt and stacked in kenches with the others; later, when the labourers have more time, the skins are taken from the kenches, and the inner side of each skin is covered with a thick layer of salt. Another skin is laid on top of this with its inner side down. The edges of the skins are turned up on the outer side, so as not to let the salt fall out; they are rolled up into round bundles with the fur side out, and are strongly tied with seine twine. Afterwards these bundles are tied together in packages of from five to ten bundles each.

Though the labour of carrying the skins on the shoulders of men and women, the carrying of salt from the beach to the salt-houses, and later the carrying of the heavy salted skins from the warehouse to the beach, to be loaded into bidaras for transmission to the ship, is very great, still the process of drying presents still greater difficulties on account of the constant fog and rain prevailing on the Pribyloff Islands. It may be positively stated that of the 25,000 dried skins prepared annually on these islands, only one-fifth can be dried in the open air. The remainder are dried in sod houses, by means of fires, or in the huts of the Aleuts, which are already cramped and suffocating. For this reason, and also on account of the difficulty of obtaining wood in quantities sufficient for the drying of seal-skins, the salting by the Mollison method offers the greater advantage.

Knight
ager of
ard of
e Com-
ly 16,

ce con-
January,
I have
sidera-
cost of

18.

R. k.
2 85
0 10
2 95
0 03
0 75
0 78

ks, and
calcu-

No. 31.

Letter from the Chief Manager of the Russian-American Colonies to the Manager of the Island of St. Paul. Written from Sitka, May 1, 1864.

YOUR Reports, forwarded last year by the steam-ship "Konstantin" and the barque "Prince Menshikof," have been received, and, in reply, I give you the following instructions:—

As to No. 29. Last year you were instructed to fill requisitions of the Manager of Unalaska Island in a certain contingency. Instructions have now been given to the Manager of the Island of St. George hereafter to furnish Unalaska with local products, and it will be your duty as heretofore to see to the supply of local products for Sitka and St. Michael's Redoubt.

As to Nos. 30, 31. For want of space on the brig "Shelikof" I was unable to grant permission to Mrs. Iraida Herman to visit this year the Island of St. Paul, and for the same reason I could not send you a cow or a bull.

As to No. 32. In my instructions No. 249 of last year I determined the number of fur-seal skins to be taken by you in each year. By order of the Board of Administration I revoke said instructions No. 249, as well as all previous instructions concerning the catch of fur-seals. I now direct you to take hereafter annually about 70,000 fur-seal skins, of which 25,000 shall be dried, and the remaining 45,000 salted according to the new directions in your possession.

The 70,000 skins now ordered to be prepared you must take only in case no decrease in the numbers of the animals is observed, otherwise you must immediately advise me for the purpose of having the number reduced with a view to preserve fur-seals for subsequent years.

As these instructions will reach you late in the season, and as you will consequently be unable to prepare the whole quantity of fur-seal skins now required, I have to request that you will endeavour to take and salt not less than 10,000 skins during the time occupied by the trip of the vessel from St. Paul to St. Michael's Redoubt and back, and to put them on board of the vessel on her second visit to the island. Last year you sent only 10,000 dried skins, while the order was to send about 20,000. In future you must endeavour to strictly fill the orders.

As to No. 34. You will make a report to my successor as to the rewards to deserving employes. He will probably visit your island in the course of this year.

As to No. 36. I thank you for your efforts in regard to the vaccination of the inhabitants, and I request that you will not neglect the matter in future.

In regard to your request for the admission of your son to the General Colonial School of the Company at the Company's expense, I have to inform you that this school is not fully organized for the reception of boarders, and I therefore advise you to place your son as a boarder with one of your sisters here who receive pensions; your son when residing at Sitka can attend the school on the same terms as the day pupils of the Company.

The brig "Shelikof" will carry to you a cargo of supplies which you will discharge, sending on

No. 31.

Letter from the Chief Manager of the Russian-American Colonies to the Manager of the Island of St. Paul. Written from Sitka, May 1, 1864.

YOUR Reports, forwarded last year by the steam-ship "Constantine" and the barque "Prince Menshikof," have been received, and, in reply, I give you the following instructions:—

As to No. 29. Last year you were instructed to fill requisitions of the Manager of Unalaska Island in a certain contingency, and instructions have now been given to the Manager of the Island of St. George hereafter to furnish Unalaska with necessary supplies, and your duties include, as heretofore, the furnishing Sitka and Fort Michael with supplies.

As to Nos. 30, 31. For want of space on the brig "Shelikof" I was unable to grant permission to Iraida Herman to visit the Island of St. Paul this year, and for the same reason I could not send you a cow and a bull.

As to No. 32. In my instructions No. 249 of last year I determined the number of fur-seal skins to be taken by you in each year. By order of the Board of Administration I revoke said instructions No. 249, as well as all previous instructions concerning the catch of fur-seals, and I now direct you to take hereafter annually as many as 70,000 fur-seal skins, 25,000 of which must be dried, and the remaining 45,000 salted according to the new directions in your possession.

You must take the 70,000 skins now ordered to be prepared only in case no decrease in the numbers of the animals is observed; otherwise you must immediately advise me for the purpose of having the number reduced with a view to the preservation of the seals for the years to come.

As these instructions will reach you late in the season, and as you will consequently be unable to prepare the whole quantity of fur-seal skins now required, I have to request that you will endeavour to take and salt not less than 10,000 skins during the time occupied by the trip of the vessel from St. Paul to Fort Michael and back, and to put them on board of the vessel on her second visit to St. Paul. Last year you sent only 14,000 dried skins, while the order was to send about 20,000. In future you must endeavour to strictly fill the orders.

As to No. 34. You will make a report to my successor as to the rewards to zealous employes. He will probably visit your island in the course of this year.

As to No. 36. I thank you for your efforts in regard to the vaccination of the inhabitants, and I request that you will not neglect the matter in future.

In regard to your request for the admission of your son to the Colonial Public School as a Company's boarder, I have to inform you that that school is not yet fully prepared for the reception of boarders, and I therefore advise you to place your son in the house of any of your sisters who are now receiving pensions; your son, while living at Sitka, can attend the school on the same terms as all the new-comers who are not the Company's pupils.

The annual supplies are sent you by the brig "Shelikof;" unload the cargo and deliver to the

ORIGINAL TRANSLATION.

the same vessel the accumulated furs as well as your Reports. Besides this vessel, you will be visited by the steamer "Konstantin" on her return trip from Nushagak: this vessel will bring you about 2,500 pounds of salt, and probably some logs.

I have ordered skipper Archimandritof to proceed by this brig for an inspection of the island under your care; you are therefore directed to comply with all his requests.

REVISED TRANSLATION.

brig all your skins and your Reports. Besides this vessel, you will be visited by the steamer "Constantine" on her return voyage from Nushagak; this vessel will bring you about 2,500 poods of salt, and probably some lumber.

I have ordered the Russian skipper Archimandritoff to proceed by this brig to inspect the island under your charge; you are therefore directed to comply with all his requests.

Despatch from Mr. Adams to Mr. Rush, July 22, 1823.

[The extracts from this despatch which appear on pp. 6 and 7 of Vol. II, Part 2, of the Appendix to the British Case were taken from pp. 212 and 213 of Senate Ex. Doc. No. 106, 50th Congress, 2nd Session. The following is the complete version given at p. 496 of the United States' State Papers, Vol. V.]

Mr. Adams to Mr. Rush.

(No. 70.)
Sir,

Department of State, Washington, July 22, 1823.

AMONG the subjects of negotiation with Great Britain which are pressing upon the attention of this Government is the present condition of the north-west coast of this continent. This interest is connected, in a manner becoming from day to day more important, with our territorial rights; with the whole system of our intercourse with the Indian tribes; with the boundary relations between us and the British North American dominions; with the fur trade; the fisheries in the Pacific Ocean; the commerce with the Sandwich Islands and China; with our boundary upon Mexico; and, lastly, with our political standing and intercourse with the Russian Empire.

By the 11th Article of the Convention between the United States and Great Britain of the 20th October, 1818, it is agreed that any "country that may be claimed by either party on the north-west coast of America, westward of the Stony Mountains, shall, together with its harbours, bays, and creeks, and the navigation of all rivers within the same, be free and open, for the term of ten years from the date of the signature of the Convention, to the vessels, citizens, and subjects of the two Powers, it being well understood that this Agreement is not to be construed to the prejudice of any claims which either of the two High Contracting Parties may have to any part of the said country, nor shall it be taken to affect the claims of any other Power or State to any part of the said country, the only object of the High Contracting Parties in that respect being to prevent disputes and differences amongst themselves."

On the 6th October, 1818, fourteen days before the signature of this Convention, the Settlement at the mouth of Columbia River had been formally restored to the United States by order of the British Government.—(Message of the President of the United States to the House of Representatives, 15th April, 1822, p. 13. Letter of Mr. Prevost to the Secretary of State of 11th November, 1818.)

By the Treaty of Amity, Settlement, and Limits between the United States and Spain of the 22nd February, 1819, the boundary-line between them was fixed at the 42nd degree of latitude, from the source of the Arkansas River to the South Sea, by which Treaty the United States acquired all the rights of Spain north of that parallel.

The right of the United States to the Columbia River, and to the interior territory washed by its waters, rests upon its discovery from the sea and nomination by a citizen of the United States; upon its exploration to the sea by Captains Lewis and Clarke; upon the Settlement of Astoria, made under the protection of the United States, and thus restored to them in 1818; and upon this subsequent acquisition of all the rights of Spain, the only European Power who, prior to the discovery of the river, had any pretensions to territorial rights on the north-west coast of America.

The waters of the Columbia River extend by the Multnomah to the 42nd degree of latitude, where its source approaches within a few miles of those of the Platte and Arkansas, and by Clarke's River to the 50th or 51st degree of latitude; thence descending southward till its sources almost intersect those of the Missouri.

To the territory thus watered, and immediately contiguous to the original possessions of the United States, as first bounded by the Mississippi, they consider their right to be now established by all the principles which have ever been applied to European Settlements upon the American Hemisphere.

By the Ukase of the Emperor Alexander of the 4th (16th) September, 1821, an exclusive territorial right on the north-west coast of America is asserted as belonging to Russia, and as extending from the northern extremity of the continent to latitude 51°, and the navigation and fishery of all other nations are interdicted by the same Ukase to the extent of 100 Italian miles from the coast.

When M. Poletica, the late Russian Minister here, was called upon to set forth the grounds of right conformable to the laws of nations which authorized the issuing of this Decree, he answered in his letters of the 28th February and 2nd April, 1822, by alleging first discovery, occupancy, and uninterrupted possession.

It appears, upon examination, that these claims have no foundation in fact. The right of discovery

on this continent claimable by Russia is reduced to the probability that, in 1741, Captain Tchirikoff saw from the sea the mountain called St. Elias, in about the 59th degree of north latitude. The Spanish navigators as early as 1582 had discovered as far north as 57° 30'.

As to occupancy, Captain Cook in 1779 had the express declaration of M. Ismaeloff, the Chief of the Russian Settlement at Ounalaska, that they *knew nothing* of the continent in America; and in the Nootka Sound controversy between Spain and Great Britain it is explicitly stated in the Spanish documents that Russia had disclaimed all pretension to interfere with the Spanish exclusive rights to *beyond* Prince William's Sound, latitude 61°. No evidence has been exhibited of any Russian Settlement on this continent south and east of Prince William's Sound to this day, with the exception of that in California, made in 1816.

It never has been admitted by the various European nations which have formed Settlements in this Hemisphere that the occupation of an island gave any claim whatever to territorial possessions on the continent to which it was adjoining. The recognized principle has rather been the reverse, as, by the law of Nature, islands must be rather considered as appendages to continents than continents to islands.

The only colour of claim alleged by M. Poletica which has an appearance of plausibility is that which he asserts as an authentic fact: "that in 1789 the Spanish packet 'St. Charles,' commanded by Captain Haro, found in the latitude 48° and 49° Russian Settlements to the number of eight, consisting in the whole of 29 families and 462 individuals." But, more than twenty years since, Heurieu had shown, in his introduction to the voyage of Marchaud, that in this statement there was a mistake of at least 10 degrees of latitude, and that, instead of 48° and 49°, it should read 58° and 59°. This is probably not the only mistake in the account. It rests altogether upon the credit of two private letters—one written from San Blas, and the other from the city of Mexico, to Spain—there communicated to a French Consul in one of the Spanish ports, and by him to the French Minister of Marine. They were written in October 1783 and August 1789. We have seen that in 1790 Russia explicitly disclaimed interfering with the exclusive rights of Spain to *beyond* Prince William's Sound in latitude 61°; and Vancouver, in 1794, was informed by the Russians on the spot that their most *eastern* Settlement there was on Hitchinbrook Island, at Port Etches, which had been established in the course of the preceding summer, and that the adjacent continent was a *sterile and uninhabited country*.

Until the Nootka Sound contest Great Britain had never advanced any claim to territory upon the north-west coast of America by right of occupation. Under the Treaty of 1763 her territorial rights were bounded by the Mississippi.

On the 22nd July, 1793, McKenzie reached the shores of the Pacific by land from Canada in latitude 52° 21' north, longitude 128° 2' west of Greenwich.

It is stated in the 52nd number of the "Quarterly Review," in the article upon Kotzebue's voyage, "that the whole country, from latitude 56° 30' to the boundary of the United States in latitude 48°, or thereabouts, is now and has long been in the actual possession of the British North-west Company;" that this Company have a post on the borders of a river in latitude 54° 30' north, longitude 125° west, and that, in latitude 55° 15' north, longitude 129° 44' west, "by this time (March 1822) the United Company of the North-west and Hudson's Bay have, in all probability, formed an establishment."

It is not imaginable that, in the present condition of the world, *any* European nation should entertain the project of settling a *Colony* on the north-west coast of America. That the United States should form establishments there, with views of absolute territorial right and inland communication, is not only to be expected, but is pointed out by the finger of Nature, and has been for many years a subject of serious deliberation in Congress. A plan has for several Sessions been before them for establishing a Territorial Government on the borders of the Columbia River. It will undoubtedly be resumed at their next Session, and even if then again postponed there cannot be a doubt that, in the course of a very few years, it must be carried into effect.

As yet, however, the only useful purpose to which the north-west coast of America has been or can be made subservient to the Settlements of civilized men are the fisheries on its adjoining seas and trade with the aboriginal inhabitants of the country. These have hitherto been enjoyed in common by the people of the United States, and by the British and Russian nations. The Spanish, Portuguese, and French nations have also participated in them hitherto, without other annoyance than that which resulted from the exclusive territorial claims of Spain, so long as they were insisted on by her.

The United States and Great Britain have both protested against the Russian Imperial Ukase of the 4th (16th) September, 1821. At the proposal of the Russian Government, a full power and instructions are now transmitted to Mr. Middleton for the adjustment, by amicable negotiation, of the conflicting claims of the parties on this subject.

We have been informed by the Baron de Tuyl that a similar authority has been given on the part of the British Government to Sir Charles Bagot.

Previous to the restoration of the Settlement at the mouth of Columbia River in 1818, and again upon the first introduction in Congress of the plan for constituting a Territorial Government there, some disposition was manifested by Sir Charles Bagot and by Mr. Canning to dispute the *right* of the United States to that establishment, and some vague intimation was given of British claims on the north-west coast. The restoration of the place and the Convention of 1818 were considered as a final disposal of Mr. Bagot's objections, and Mr. Canning declined committing to paper those which he had intimated in conversation.

The discussion of the Russian pretensions in the negotiation now proposed necessarily involves the interests of the three Powers, and renders it manifestly proper that the United States and Great Britain should come to a mutual understanding with respect to their *respective* pretensions, as well as upon their joint views with reference to those of Russia. Copies of the instructions to Mr. Middleton

are, therefore, herewith transmitted to you, and the President wishes you to confer freely with the British Government on the subject.

The principles settled by the Nootka Sound Convention of the 28th October, 1790, were:—

1. That the rights of fishery in the South Sea, of trading with the natives of the north-west coast of America, and of making Settlements on the coast itself for the purposes of that trade, north of the actual Settlements of Spain, were common to all the European nations, and of course to the United States.

2. That so far as the actual Settlements of Spain had extended, she possessed the exclusive rights, territorial, and of navigation and fishery, extending to the distance of 10 miles from the coasts so actually occupied.

3. That on the coasts of *South America*, and the adjacent islands *south* of the parts already occupied by Spain, no Settlement should thereafter be made either by British or Spanish subjects, but on both sides should be retained the liberty of landing, and of erecting temporary buildings for the purpose of the fishery. These rights were also, of course, enjoyed by the people of the United States.

The exclusive rights of Spain to any part of the American continents have ceased. That portion of the Convention, therefore, which recognizes the exclusive colonial rights of Spain on these continents, though confirmed as between Great Britain and Spain by the first Additional Article to the Treaty of the 5th July, 1814, has been extinguished by the fact of the independence of the South American nation and of Mexico. Those independent nations will possess the rights incident to that condition, and their territories will of course be subject to no exclusive right of navigation in their vicinity, or of access to them by any foreign nation.

A necessary consequence of this state of things will be that the American continents henceforth will no longer be subjects of colonization. Occupied by civilized independent nations, they will be accessible to Europeans and to each other on that footing alone, and the Pacific Ocean in every part of it will remain open to the navigation of all nations in like manner with the Atlantic.

Incidental to the condition of national independence and sovereignty, the rights of anterior navigation of their rivers will belong to each of the American nations within its own territory.

The application of colonial principles of exclusion, therefore, cannot be admitted by the United States as lawful upon any part of the north-west coast of America, or as belonging to any European nation. Their own Settlements there, when organized as Territorial Governments, will be adapted to the freedom of their own institutions, and, as constituent parts of the Union, be subject to the principles and provisions of their Constitution.

The right of carrying on trade with the nations throughout the north-west coast they cannot renounce. With the Russian Settlements at Kadiak or at New Archangel they may fairly claim the advantage of a free trade, having so long enjoyed it unmolested, and because it has been and would continue to be as advantageous at least to those Settlements as to them. But they will not contest the right of Russia to prohibit the traffic, as strictly confined to the Russian Settlement itself, and not extending to the original natives of the coast.

If the British North-west and Hudson's Bay Companies have any posts on the coast, as suggested in the article of the "Quarterly Review" above cited, the 11th Article of the Convention of the 20th October, 1818, is applicable to them. Mr. Middleton is authorized by his instructions to propose an Article of similar import, to be inserted in a Joint Convention between the United States, Great Britain, and Russia, for a term of ten years from its signature. You are authorized to make the same proposal to the British Government, and, with a view to draw a definite line of demarcation for the future, to stipulate that no Settlement shall hereafter be made on the north-west coast or on any of the islands thereto adjoining by Russian subjects south of latitude 55°, by citizens of the United States north of latitude 51°, or by British subjects either south of 51° or north of 55°. I mention the latitude of 51° as the bound within which we are willing to limit the future settlement of the United States, because it is not to be doubted that the Columbia River branches as far north as 51°, although it is most probably not the Taconesche Tesse of Mackenzie. As, however, the line already runs in latitude 49° to the Stony Mountains, should it be earnestly insisted upon by Great Britain, we will consent to carry it in continuance on the same parallel to the sea. Copies of this instruction will likewise be forwarded to Mr. Middleton, with whom you will freely, but cautiously, correspond on this subject, as well as in relation to your negotiation respecting the suppression of the Slave Trade.

I have, &c.

(Signed) JOHN QUINCY ADAMS.

Documents produced by the United States on Notice by British Agent.

No. 1.

Notice by the British Agent, September 30, 1892.

THE Undersigned, Agent of Her Britannic Majesty, appointed to attend the Tribunal of Arbitration convened under the provisions of the Treaty concluded at Washington on the 29th February, 1892, between Her Britannic Majesty and the United States, has the honour, by direction of Her Majesty's Government, to give notice that he applies for the production by the Agent of the United States of copies of the following documents, that is to say:—

1. The official Russian records, referred to at p. 42 of the Case of the United States as follows:

"The official Russian records show that, after the Ukase or Charter of 1799, granting to the Russian-American Company certain exclusive control of trade and colonization, its authorities, acting under the sanction of the Russian Government, did not permit foreign vessels to visit Behring Sea."

2. The correspondence referred to at p. 45 of the Case of the United States, in connection with the grant in the year 1819, by one Ricord, then Commander of Kamchatka, to one Pigott, of certain whaling privileges on the coast of Eastern Siberia, as follows:

"A considerable amount of correspondence resulted, which illustrates the complete control which Russia claimed and actually exercised over Behring Sea prior to 1821, and how jealous she and her Chartered Company were of the intrusion of foreigners."

3. The "explanatory note" presented on the 5th December, 1824, by Baron de Tuylt to Mr. Adams, referred to in the foot-note to p. 55 of the Case of the United States.

4. Instructions given to the United States' revenue-cutters or cruisers sent to Behring Sea annually since the year 1867, referred to at p. 81 of the Case of the United States as follows:

"Since the year 1867 the Treasury Department has every year, with a single exception, sent one or more revenue-cutters to Behring Sea for the purpose of guarding the interests of the United States centred there, including the protection of fur-seals, against the infractions of the law relating to them."

The Undersigned, &c.

(Signed) CHARLES H. TUPPER,
Agent of Her Britannic Majesty in this behalf.

No. 2.

*Mr. Foster to Mr. Tupper.**Washington, November 5, 1892.*

THE Undersigned, Agent of the United States, appointed to attend the Tribunal of Arbitration convened under the provisions of the Treaty concluded at Washington, the 29th February, 1892, between the United States and Her Britannic Majesty, herewith makes the following reply to a Notice calling for the production of copies of certain documents, which Notice was delivered to him by the Agent of Her Britannic Majesty on the 30th day of September, 1892:—

In regard to paragraph numbered 1 of said Notice:

The Undersigned does not furnish copies of the documents therein referred to, for the reason that all such documents are included in those referred to in the foot-note to p. 41 of the Case of the United States, and these appear in vol. i of the Appendix of said Case, following p. 593.

In regard to paragraph numbered 2 of said Notice:

The Undersigned herewith furnishes photo-lithographic facsimiles of all documents therein referred to not already included in those which appear in vol. i of the Appendix of the Case of the United States, following p. 593.

In regard to paragraph numbered 3 of said Notice:

The English version of the "explanatory note" therein referred to appears in the Appendix of the Case of the United States, as indicated in the foot-note to p. 55 of said Case; but for the more accurate information of the Agent of Her Britannic Majesty, a copy of the original text of said note is herewith furnished.

In regard to paragraph 4 of said Notice:

The Undersigned herewith furnishes copies of the instructions therein referred to, notwithstanding he is clearly of the opinion that they have been neither specified nor alluded to in the Case of the

United States. The documents in which these instructions are contained include other matters as well, which, being irrelevant to the present inquiry and somewhat voluminous, have been omitted. Should, however, the British Agent feel that he has been prejudiced by any such omission, the latter will, upon demand, be supplied in every case.

The Undersigned improves the occasion to renew to Mr. Tupper the assurance of his highest consideration.

(Signed) JOHN W. FOSTER,
Agent of the United States.

Inclosure 1 in No. 2.

1.—*Copy of a Letter from Privy Councillor Speransky, Governor-General of Siberia, to Count Nesselrode, Secretary of State, dated Irkutsk, February 1, 1820. No. 28.*

(Translation.)

JUST before this messenger was dispatched I received, through the Tobolsk Post-office, probably from St. Petersburg, a packet, in which I found a letter addressed to your Excellency, several other private letters, an Agreement concluded by the Governor of Kamtschatka with the Englishman Pigott regarding the whale fishery on the shores of Eastern Siberia, and an envelope which, from its general appearance, and from the fact of its being addressed to the Governor-General of Siberia, appeared to contain an official communication, but in which I found a private letter from M. Ricord to Ivan Borisovitch Pestel.

I have the honour to transmit all these papers to your Excellency, and I beg to be allowed to make the following observations with regard to them:

I had the honour to inform your Excellency on the 12th November, 1819, that I could not find amongst the papers left by my predecessor any trace of proposals made by M. Dobello, or of instructions given to him. From the Agreement and letter now received, I conclude that he was instructed, or permitted, amongst other things, to endeavour to establish a whale fishery on the shores of Kamtschatka, and it follows that this matter has already been inquired into, and that some decision has been arrived at by the Government. Under these circumstances, the Government will only have to examine the terms of the Agreement. In case, however, contrary to what appears to be the case, the matter should not yet have been decided, even in principle much less in detail, I venture to offer the following observations:—

1. As to the principle of the establishment of the whale fishery.

The advantage of establishing it may be twofold: First, an immediate advantage, consisting in the fact that food will be supplied to the people of Kamtschatka. This will be a great benefit in case the supply of fish, which is almost the only means of subsistence of the people of Kamtschatka, should fail. Your Excellency will see, from the inclosed extract from a letter from the Governor of Okhotsk, with what delight the Tunguz inhabiting the shores of the Sea of Okhotsk hailed, last autumn, the appearance of the carcasses of whales thrown up by the sea on their coast. The second advantage consists in the prospect of the gradual establishment of whaling operations with whalers of our own. This advantage is a very remote one, and I do not think that whaling carried on by our Government is ever likely to be a success. There is a great difference between having ten sailors taught whaling and establishing a Russian whale fishery; ships, tackle, money, and, above all, a master's eye, are indispensable. But even if we consider that the ultimate establishment of a Russian whale fishery is possible, and even probable, the following drawbacks to placing the industry in the hands of foreigners must be taken into consideration:—

(1) We are familiar with the complaints made by the American Company in regard to the bartering carried on by citizens of the United States at their establishments, and in regard to their supplying the natives with fire-arms. These complaints are well-founded, but nothing can be done in the matter. It would be useless to apply to the United States' Government to stop the trading; the commercial rules of the United States do not allow such interference on the part of their Government. The only thing to be done is for the Company to endeavour to strengthen the defences of the principal places in the Colonies, and for the Government, at least, not to favour this foreign trade. But the establishment of a whale fishery on the eastern shores of Siberia would undoubtedly favour it in a high degree. The establishment of a whale fishery would be a pretext for, and an encouragement to, foreign trade.

(2) Although the fur industry in Kamtschatka and Okhotsk, which has been declining from various causes, has now become unimportant, nevertheless, the present trade and its prospects for the future are in the hands of Russian traders. If an industry in the hands of foreigners is established on the coast, the whole trade will certainly pass into foreign hands. In this thinly-populated region it is impossible to establish an effective supervision; moreover, how is the importation of brandy, rum, &c., to be prevented?

(3) The American Company may, and, in the interest of the consolidation and preservation of its Colonies, ought to wish to establish a whale fishery of its own, employing for the purpose its own servants, or, at any rate, keeping the operations in its own hands. Its present financial position is not merely satisfactory, but brilliant; its operations should therefore be extended, but the Agreement concluded with the foreigners will place insurmountable obstacles in the way of such extension.

(4) M. Ricord says, in his letter, that, owing to the smallness of our forces in that part of the world, we cannot prevent foreigners from whaling. In the first place, we may not be so weak as he supposes. The occasional appearance of a single properly-armed ship may be sufficient to keep quiet and disperse all the whalers. In the second place, if they are able to get possession of this industry by force, why should this force be sanctioned by a formal Agreement?

2. These observations on the principle of establishing the whale fishery may be supplemented by the following remarks on the provisions of the Agreement:—

(1.) If Pigott himself asked for nothing more than a local and limited permit for taking whales on the shores of Kamtschatka, why is he not given such a limited permit, which could easily be withdrawn at will? Why sign an Agreement for ten years? In what way is this Agreement binding on Pigott? Will it, or can it, force him to carry on the industry if he does not find it profitable? How easily he could find pretexts for evading or rendering useless the one stipulation which is in our favour, namely, that which provides for the instruction of our sailors in whaling.

(2.) Why was it considered necessary to use in the Agreement the indefinite expression "Eastern Siberia," instead of the word "Kamtschatka"? By the use of the words "Eastern Siberia," the right to fish for whales is extended not only to the Sea of Okhotsk, but also to the Kurile Islands, which our American Company will, after this, be forced to give up.

(3.) Why should these traders be allowed to fly the Russian flag? The insolence of this class of men, and the acts of violence which they are always committing on their voyages, are matters of common knowledge. Why should they be allowed to shelter themselves under the Russian flag in Japan, among the Tshukches and elsewhere? Instead of increasing the prestige of Russia, as M. Ricord supposes, the grant of the Russian flag will only add to our responsibilities and bring odium upon us, especially as the Governor of Kamtschatka will have no means whatever of restraining Pigott. If the thoughtless act of one of our naval officers (Khvostoff) very nearly led to a war with Japan at the very time when we were anxious for peace and friendly intercourse with that nation, what can induce us to be so rash as to place our flag in the hands of men who are ready to do anything for money?

2.—*Extract from a Letter, dated July 2, 1819, from M. Ricord, Governor of Kamtschatka, to Priy Councillor Pestel, late Governor-General of Siberia.*

(Translation)

Since the last messenger left M. Dobello and I have been giving our careful attention to the scheme for the establishment of a whale fishery, for which the present moment is favourable. As much time would be lost if we allowed the Englishman Pigott, who is most anxious to come to terms, to leave us without some definite understanding having been arrived at, we have decided to conclude with Pigott *ad referendum* the formal Agreement transmitted herewith. As I have not got M. Dobello's fervid imagination, I do not expect from this Agreement the wonderfully beneficial results to this country which he anticipates. Who will believe that in ten years we shall be able to have whalers of our own at Kamtschatka?

The circumstances which led Pigott to conclude this Agreement are as follows:—

A large whale was cast up by the sea 20 versts from our harbour. We all went to see it. Pigott was in ecstasy, as he recognized in it a real spermaceti whale. The purest oil is obtained out of the heads of these whales, and their fat is considered most valuable. Before the occurrence of this incident, so fortunate for us, Pigott had often asserted, in the course of our conversations, during which he explained his views with great openness, that whaling could not be made profitable in this distant and thinly populated country, as it would not be worth while to incur the expense of fitting out whaling vessels. But after this incident he took quite a different view. He began by asking me for an official permit for whaling on our shores, and for my guarantee that he and his companions would obtain the grant of privileges for ten years; after negotiations with Dobello, however, he decided to sign this Agreement. I am confident that it will be approved, and that I shall be instructed to do all in my power to make it work profitably for this country. I shall, of course, use of my best endeavours in that direction.

The stipulation that the whalers shall be allowed to fly the Russian flag is very advantageous to us from a political point of view, especially as regards our relations with the Japanese. When the whalers happen to approach the Japanese coast, it will be an excellent thing that the inhabitants should see how powerful we are, and, moreover, when the whalers are engaged in fishing in the north, the people inhabiting the coasts in that region will learn to respect us, and will be kept in check.

In the Agreement the expression "Eastern Siberia" is used instead of "shores of Kamtschatka," in order to give the Americans a larger field* for the exercise of their industry; we know that there is no better harbour in these seas than Petropavlovsk; and what is Eastern Siberia but an extent of waste land? Besides, if we do not use the expression "Eastern Siberia," our whalers will not be able to fish in the Sea of Okhotsk or round the Kurile Islands. Moreover, we must confess our weakness; for how could we prevent any one from whaling on our shores? Under these circumstances, and in view of what is stipulated in the Agreement, I am sure that the Government, after examining the instrument, will admit that its terms are advantageous, and will not hesitate to ratify it. We do not ask the Government to spend any money; we only wish to be allowed to found an industry which will make it possible for Kamtschatka to turn to profit in ten years' time advantages which have long been potentially open.

(Signed) Count JACOV LAMBERT.

* Literally, "extent of coast."

(Received on the "Tshirikoff," October 2, 1822.)

*Board of Management of the Russian-American Company to Captain Matthew Ivanovitch Muravieff,
Chief Manager of the Russian-American Colonies.*

(Concerning Pigott.)

February 28, 1822.

(No. 149.)

The Board were aware that Captain Pigott, who was at Kamtschatka, intended to sail thence to our Colonies, and your despatch No. 8 of the 18th January, 1821, confirmed them in their belief that he proposed to visit waters belonging to Russia. He has paid you a visit, as you report, under stress of weather, and you have done right in assisting him; but he would never have come to Novo Arkhangelsk if he had not been forced to put in to that port; what he meant to do was to collect furs secretly at other places. It was with this object, and in order to get a footing for this purpose on the Aleutian Islands, or on the northern islands situated in the direction of Behring Strait, that he made his proposal, of which you have already been informed, with regard to whaling and fishing for the benefit of Kamtschatka and Okhotsk; in the meantime he has been asking permission from Dobello, M. Ricord's friend, to trade with the Tshuktshes, and to use the Russian flag while so engaged. It is a pity that you had not yet been informed of the right which has been officially declared and announced in the Regulations which have been sent to you by the "Apollo," of the Imperial navy; if you had received these Regulations earlier, you would, no doubt, have searched Pigott's ship. Don't let these impudent fellows off so easily in future. This year a Government ship, the "Apollo" above mentioned, will visit you; a second ship, the "Ajax," has been seriously damaged on the Dutch coast. We hear that another ship will be sent instead of her. Thanks be to God and our Emperor for saving the Company from all trouble and expense in connection with the dispatch of these Government ships. You will receive by this opportunity replies to the other inquiries contained in your despatch above referred to.

(Signed)

MICHAEL KISSELEFF.
BENEDICT KRAMER.
ANDREI SEVERIN.

(Signed)

ZELENSKY, *Chief Clerk.*

January 1821.

On the 29th September the American brig "Pedlar" arrived at this port. Her captain is Meek, a brother of the Meek who is well known to you. She had on board Mr. Pigott, with whom you are well acquainted. He was the supercargo or owner; for the cargo was under his control, and he directed the movements of the ship. He had come from Kamtschatka in eighteen days, and had encountered very stormy weather. The sides of the ship were damaged, and the boats broken up. The sails were also torn, and a great deal of further damage had been done. He brought with him a letter of recommendation from M. Ricord to me. I knew of Pigott's relations with the American Company, but I could not refuse him permission to anchor in the roadstead here and to repair his ship and build a boat with materials of his own. If I had refused to allow him to do this, I should have been violating the usage of friendly nations. I took care, however, to place rafts near his ship, and I informed him that if he violated the rights of the Colony in any way, or had any communications whatever with the Indians (even for the purpose of obtaining food), he would be at once arrested, and his ship and her cargo confiscated. Of course, this annoyed him, and he told me so. I replied that I was justified in being suspicious of the open enemies of the Company. There were at that time two men-of-war on the roadstead, and this fact afforded me frequent opportunities of meeting Pigott, for he was acquainted with the officers of both of them. They had met beyond Behring Strait in Kotzebue Sound, and had been anchored there together. He said in a hesitating way that he had been trading there, and complained that he had been unsuccessful; but are his statements to be believed?

He had a quantity of guns and ammunition with him, and sold some guns to the officers of the men-of-war. I asked him whether he had sold any guns in the north, and he answered that he had not; but are we to believe him? On my asking him whether he considered that his countrymen acted rightly in supplying fire-arms to the Kolosh, he answered that it was not very proper conduct, but that the laws of their country did not prohibit it, and that as soon as one man found the trade profitable, others did not fail to follow his example. He said that in all probability no nation would be able to stop the traffic by force so long as the American laws did not forbid it, and that they never would forbid it, because the limitation of free trade would be a violation of the American Constitution. No nation would attack them, because they were so strong. They considered that settlement gave a right of government, and that everyone was master in his own territory; therefore, any infraction of the laws of a country would expose them to the penalties prescribed by the laws of that country, for their own Government would not protect them. What do you think of this? Was he right, or not? I must confess that I was wrong when I said, in a letter to Michael Mikhailovitch, that a single man-of-war would be sufficient to put an end to this traffic. To tell the truth, I did not believe it at the time; but I was afraid that a whole squadron, or at least a couple of frigates, would come down upon us. This prospect frightened me, both as Manager of the American Colonies and as a Russian. They would have eaten up all our provisions and cost the Emperor a lot of money, without doing much good. I am ready to confess that I was wrong to you, to his Excellency, and before all the world. If England, which is so powerful at sea, and the other Maritime Powers of Europe, find it impossible to prevent these Republicans from committing depredations under a neutral flag, although the United States refuse

to protect them, what hope is there that a single frigate will be able to stop this traffic on our shores, abounding in straits and excellent harbours, and so well known to these Americans that they may be called the pilots of these coasts? They will always be on good terms with the natives.

In all probability they will not trade in arms under the guns of the fort or under those of the frigate, but what is to prevent them from trading in other places? And how is it to be proved that they have been engaged in this trade? Where is the Court which is to try them? One witness will say one thing, and another another. An empty cannon has been known to cause a war, but God save our beloved country from this. New Archangel is a block-house (do not be offended at my thus describing it), or, at any rate, it is not at all like European forts. It is at best a Kolosh fort, but it often contains merchandize worth more than a million roubles, and an expedition to take it, or at least to destroy it, would not cost more than one-tenth of that sum.

Sitka is a great expense, is of no advantage, and swallows up the revenues of the other Settlements without being able to protect them. Then consider its distance from the other Settlements, the difficulty of communicating with it on account of the want of ships and the frequent scarcity of good sailors, or in any case, the great expense of communication, the difficulty experienced by the Chief Manager in looking after the other offices, and the necessity for him to make an annual tour of inspection at the most critical time of the year, which is also the time when his presence at Sitka is most necessary, as it is then that the ships arrive, that expeditions are sent out, that work is actively carried on, and that the natives collect round the fort and put their designs into execution; they are not as yet very dangerous, it is true, but who knows what may yet be in store for us?

Under these circumstances, I think that prudence is the better part of valour; but this matter must be kept for another despatch. I will only observe, in conclusion, that I have kept my promise not to embellish the subjects of my Reports, but to say openly what I think.

Inclosure 2 in No. 2.

Explanatory Note shown by Baron de Tuvill to Mr. Adams, December 5, 1824, and filed January 25, 1825.

Note explicative à présenter au Gouvernement des États-Unis lors de l'échange des ratifications dans le but d'écartier d'autant plus sûrement tout motif de discussions futures, au moyen de laquelle note on reconnoitroit positivement exceptées de la liberté de chasse, de pêche, et de commerce, stipulée en faveur des citoyens des États-Unis pour dix ans, les *Iles Aleutiennes*, les côtes de la Sibirie, et en général les possessions Russes sur la côte nord-ouest de l'Amérique jusqu'à 59° 30' de latitude nord.

IL paraît que ceci n'est qu'une conséquence naturelle des stipulations arrêtées, car les côtes de la Sibirie sont baignées par la Mer d'Ochotsk, la Mer de Kamtschatka, et la Mer Glaciale, et non par la Mer du Sud mentionnée dans l'Article 1^{er} de la Convention du 5 (17) Avril. C'est aussi par la Mer du Kamtschatka ou l'Océan du Nord que sont baignées les *Iles Aleutiennes*.

L'intention de la Russie n'est point d'entraver la libre navigation de l'Océan Pacifique. Elle se bornerait à faire reconnoître comme bien entendu et placé à l'abri de toute espèce de doute le principe, que depuis le 59° 30' aucun vaisseau étranger ne pourrait approcher de ses côtes et ses îles, ni y faire la chasse ou la pêche qu'à la distance de 2 lieues marines. Ce qui m'empêchera pas d'accueillir les bâtimens étrangers avariés ou battus par la tempête.

Inclosure 3 in No. 2.

Instructions to United States' Revenue-cutters and Cruizers.

*Treasury Department, Office of the Secretary,
Washington, D.C., June 4, 1867.*

Sir,

YOU will proceed without delay to San Francisco and take charge of the steamer revenue-cutter "Lincoln," commanded by Captain White, which has been designated to make a voyage to Sitka, and the Russian possessions in America, lately ceded to the United States, to acquire a knowledge of the country with a view to a due protection of the revenue when it shall have become a part of the United States, and for the information of Congress and the people.

The vessel will be expected to leave San Francisco as soon as possible after your arrival, and will first proceed quickly to Sitka to communicate with the Russian authorities, and present the letter of Baron Stoeckle, herewith inclosed. It will be remembered that the country is yet subject to the exclusive dominion of Russia, and that until the formal transfer of it to the United States the latter can exercise no control within its borders, except through the courtesy of the Russian Government.

After visiting Sitka, you will employ the vessel according to your best judgment to effect the purposes of the expedition between southern limits of the country and the westerly extremity of the Aleutian Islands.

It is not expected that you will pass to the north of those islands, though you are at liberty to do so if it seems best.

Very respectfully,
(Signed) H. McCULLOCH,
Secretary of the Treasury.

Captain W. A. Howard,
Revenue-cutter Service, New York City.

*Treasury Department, Office of the Secretary,
Washington, D.C., March 20, 1868.*

Sir,

As soon as the revenue-steamer "Wayanda," to the command of which you are ordered, shall be ready for sea, you will proceed to the Territory of Alaska for the protection of those interests especially confided to you as an officer of the Revenue Marine by the laws of the United States and Regulations of the Department.

You will communicate as often as possible with the officers of Customs in Alaska, obtaining all information in your power as to trade, illicit and otherwise, and convey to the Department all the knowledge possible to give regarding means for the protection of the revenue, and facilitating commerce in our new territory.

I am, &c.
(Signed) H. McCULLOCH,
Secretary of Treasury.

Captain J. W. White,
Revenue-steamer "Wayanda,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., February 6, 1869.*

Sir,

You have been detailed to watch over the interests of the United States on the Island of St. Paul to prevent illicit traffic and the violation of Revenue Laws, with particular reference to the Law of the 27th July, 1868, section 6, forbidding the killing of fur-seals.

You will proceed to your post on the "Wayanda" under the orders of the Commander of that vessel; a sergeant's guard will be detailed by the Military Commander, with instructions to aid you in the execution of your duties.

It will be your duty to see that the legal prohibition against the killing of seals is rigidly enforced on that island. Any person disregarding it will be arrested, and sent to the States for trial as required by law. This prohibition is designed chiefly to apply to killing for trade; you are especially to prevent that, but you will not punish Aleuts living on the island should they occasionally kill such small numbers as may be absolutely necessary for their sustenance and clothing on the island, not to be carried away.

During the seal season guns are not to be fired, nor dogs permitted on the island, nor any proceedings that experience has shown apt to disturb the seal rookeries, or to frighten and drive away the animals.

No person not a native of the island will be permitted to land and remain on the island unless under authority from this Department, and no stores destined to be used in aid of seal-hunting or for, the preservation of skins can be landed.

Permission has been given to Hutchinson, Kohle, and Co., and Williams and Haven, for two men, selected by each of said firms, to remain on each island to care for the property of their principals. These men must conform to all the requirements herein indicated, and, in case of their refusal so to do, you will arrest them; and at the first opportunity send them to San Francisco, Oregon, or Washington Territory, to be delivered to the United States' Marshal, if you have reasonable evidence of their having violated the Law of 1868 above cited.

You are to prevent the carrying on of illicit traffic with the natives. Spirituous liquors in particular, and fire-arms not belonging to the military, are absolutely prohibited; none such can be landed on the island; any found there will be seized. Vessels coming there must bring none but domestic or duty-paid goods, and are to be provided with manifests certified by the Collector of Customs at Sitka, and with written permission from the same officer to enter there. Vessels direct from a foreign port are not permitted to unlade there under any circumstances.

Very respectfully,
(Signed) H. McCULLOCH,
Secretary of the Treasury.

Lieutenant Winslow B. Barnes,
Revenue-cutter Service.

Note.—Any material Law, Order, or Proclamation referred to herein, or in any other instruction, will be found in vol. I of the Appendix to the Case of the United States, pp. 92-113.

*Treasury Department, Office of the Secretary,
Washington, D.C., February 23, 1869.*

Sir,

It is desirable that the "Lincoln," after accomplishing what has been already arranged at the Islands of St. Paul and St. George, shall proceed directly to Attou, which is understood to be the principal locality of the sea-otter trade, and establish such relations with the natives as shall prevent, if possible, the killing of sea-otter until further orders, and preserve the interests of the United States in other respects.

Returning towards Ounalaska, it is also desirable to visit other islands of the chain where sea-otters are taken or where smuggling may be carried on. Every care should be taken to preserve the best relations with the inhabitants of the islands, and enlist them in aid of the enforcement of laws. The inhabitants are to be informed that all the restrictions laid upon trade and fur-hunting are for their benefit quite as much as for the benefit of the Government, indeed, far more, and they are to be assured that they will in no event be permitted to suffer on account of them.

It will probably be advisable to visit these islands again during the autumn.

Very respectfully,

(Signed) H. McCULLOCH,

Secretary of the Treasury.

Commanding Officer of the
Revenue-steamer "Lincoln."

P.S.—The "Lincoln" having been substituted for the "Wayanda" since the date of my letters of the 6th February, her name is to be understood as substituted in all places in those letters where the name "Wayanda" occurs.

H. McC.

*Treasury Department, Office of the Secretary,
Washington, D.C., March 31, 1870.*

Sir,

The revenue-cutter "Reliance" under your command being ordered to cruise westward, you will, as instructed by Collector Kapers, proceed with your vessel to Kodiak, thence to Analook, Ounalaska Island, via the Ounga or Choumagin Island. From Ounalaska you will visit the seals islands St. Paul and St. George, from these islands sailing as far north as Norton and Kotzebue Sound, in the autumn returning to Sitka, where further instructions will be given you.

I am, &c.

(Signed) GEO. S. BOUTWELL,
Secretary of Treasury.

Captain J. M. Selden,
Revenue-cutter "Reliance," Sitka, Alaska.

*Treasury Department, Office of the Secretary,
Washington, D.C., April 13, 1870.*

Sir,

Instructions were sent to you a few days ago to cause the "Reliance" to be fitted out immediately to cruise westward, and authority given for providing all requisite supplies, rations for six months, and a full complement of men. You are also authorized to employ a surgeon for the vessel, his services to terminate on the return of the "Reliance" to your port in the fall, probably not before October.

You will please instruct Captain Selden to keep a very accurate journal of everything transpiring on this voyage, at its termination forwarding to the Department chart of the course of ship, ports visited, miles sailed, &c.

Before sailing on this cruise Captain Selden will forward through your office lists of ship's company, with inventories of property on board. Wages paid to men will also be stated.

Captain Selden will be particular to note vessels boarded or spoken on the voyage, also vessels seized (if any), giving names, dates, and flag, and specifying cause of seizure.

He will be especially observant (and note accordingly) of whatever occurs at the fur-bearing islands of St. Paul and St. George, so that the Department may be properly informed upon those points.

Lieutenants Hansell and Mason have been ordered to the "Reliance."

I am, &c.

(Signed) GEO. S. BOUTWELL,
Secretary of the Treasury.

Wm. Kapers, Esq.,
Collector, &c., Sitka, Alaska.

Treasury Department, May 25, 1870.

Sir,

By telegram of the 23rd instant the Collector of Customs at San Francisco has been instructed to put the revenue-steamer "Lincoln" in readiness for cruising to the Aleutian Islands, Behring Sea, and the Islands of St. Paul and St. George.

You are ordered to the command.

Two additional officers, Lieutenants Bateman and Coulson, are ordered to join the vessel, and will shortly report to the Collector.

Collector Phelps has been instructed to cause ample supplies to be furnished.

You will proceed first to Nanaimo, and obtain, if necessary, additional supplies of coal, and from

thence take your course direct to Ounalaska (it is not considered important to go to Kodiak, and it may be avoided, the navigation being dangerous, and, besides, much more time being required than to sail due west to Ounalaska), where you can again coal, thence to the Islands of St. Paul and St. George.

Lieutenants Henderson and Barnes will be relieved, and will be received on board your ship to be conveyed to Puget Sound, from thence returning to the Atlantic coast.

The Department relies upon your discretion and good judgment in conducting this cruise to the best interests of the service and the Government. To this end you will cause to be carefully noted on ship's journal all the movements of your vessel, places touched at, vessels spoken, boarded, or seized; if seized, under what circumstances and for what cause.

It is essential that the Department be fully informed in relation to all which may be done by you in performance of the duty to which the "Lincoln" is assigned of protecting the interests of the Government in those waters.

On returning from this cruise you will proceed direct to Puget Sound. From thence you will forward to the Department your journal and reports of the cruise.

You will acknowledge receipt of these instructions, and, prior to sailing, forward lists of your officers and crew.

Wishing you a safe and prosperous cruise, I am, &c.

(Signed)

GEO. S. BOUTWELL,
Secretary of the Treasury.

Captain C. M. Scammon,
Revenue-steamers "Lincoln,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., April 27, 1871.*

Sir, Upon receipt of this order, you will proceed without delay to Port Townsend, Washington Territory, reporting on your arrival to the Collector of Customs at that port, for the command of the revenue-cutter "Reliance."

You will acknowledge the receipt of this order, and advise the Department when it shall have been obeyed.

I am, &c.

(Signed)

WM. A. RICHARDSON,
Acting Secretary of the Treasury.

Captain Jno. A. Webster, Jun.,
Revenue-cutter Service, Wilmington, Del.

Telegram.

*Treasury Department, Office of the Secretary,
Washington, D.C., April 27, 1871.*

"Lincoln" may go to Alaska, being absent from Port Townsend six weeks, if you and Leighton concur in believing she will prevent smuggling enough to justify expense.

(Signed)

WM. A. RICHARDSON,
Acting Secretary of the Treasury.

M. S. Drew, Collector of Customs,
Port Townsend, Washington Territory-via Seattle.

*Treasury Department, Office of the Secretary,
Washington, D.C., July 23, 1872.*

Sir, Referring to your communication of the 22nd May last, stating that you had granted passage on the revenue-cutter "Reliance" from Kodiak, to Ounalaska, Alaska Territory, to Professor Alphon Pinant, who is travelling in that region for the benefit of science, there being no other means of conveyance for him between those points, and his application having the approval of the Collector of Customs at Sitka, &c., you are informed that your action in the premises, in consideration of the circumstances of the case, is approved by the Department.

I am, &c.

(Signed)

GEO. S. BOUTWELL, *Secretary.*

Captain J. A. Webster, Jun.,
Commanding Revenue-cutter "Reliance," Sitka, Alaska.

Telegram.

*Treasury Department, Office of the Secretary,
Washington, D.C., July 12, 1873.*

Take on board all necessary supplies and proceed with "Reliance" to Sitka, Alaska, and report to Collector for duty. Telegraph departures.

(Signed) WM. A. RICHARDSON, *Secretary.*

Captain J. G. Baker,
Revenue-cutter "Reliance," Olympia, W.T.

*Treasury Department, Office of the Secretary,
Washington, D.C., July 14, 1873.*

Sir,
Confirmatory of my telegram of the 12th instant, you are directed to take on board the revenue-cutter "Reliance," under your command, sufficient supplies of provisions, fuel, and water, with all articles belonging to the vessel, and, everything being in readiness, to proceed with your command to Sitka, Alaska, and report to the Collector of Customs at that port for duty in the waters of his collection district.

You will inform the Department of the dates of your departure for, and arrival at, the station designated.

I am, &c.

(Signed) WM. A. RICHARDSON, *Secretary.*

Captain J. G. Baker,
Commanding Revenue-cutter "Reliance."

*Treasury Department, Office of the Secretary,
Washington, D.C., May 7, 1874.*

Sir,
I transmit herewith a copy of an Act of Congress, approved the 22nd April, 1874, authorizing the Secretary of the Treasury to appoint a Special Agent, and the Secretary of the Navy to detail an officer of the navy, for the purpose of visiting the various trading stations and Indian villages in the Territory of Alaska, the Seal Islands, and the large islands to the north of them, in Behring Sea, and collecting and reporting all possible authentic information upon the present condition of the seal fisheries of Alaska, &c.

You are informed that Mr. Henry W. Elliott and Lieutenant Washburn Maynard, United States' navy, have been assigned to the duty contemplated by the Act of Congress referred to above, and you are authorized and directed, upon their application, to receive them on board the revenue-cutter "Reliance," under your command, and convey them to such points in the region named as they may desire to visit in the discharge of the duties imposed upon them by said Act. It will accordingly be necessary for you to make provision for supplies for an extended cruise.

I am, &c.

(Signed) F. A. SAWYER,
Acting Secretary.

Captain J. G. Baker, U.S.R.M.,
Commanding Revenue-cutter "Reliance,"
Port Townsend, W.T.

Treasury Department, Washington, D.C., May 5, 1875.

Sir,
Information derived from letters of the Collector of Customs at Sitka, Alaska, from the Reports of Special Agents of the Department, and more especially from a recent communication from the Secretary of War, makes it appear necessary that a vessel should be dispatched at as early a date as possible to the waters of Alaska, to aid in the suppression of smuggling there.

You will therefore direct Captain Scammon, commanding the revenue-steamer "Wolcott," at your port, to immediately take the necessary steps to prepare said vessel for a cruise to Sitka and such other parts of the coast of Alaska as upon conference with the Collector at the latter-named port it may be considered necessary to visit, and, everything being in readiness, you will instruct him to proceed with the "Wolcott" to Sitka, and, upon his arrival, to report to the Collector there for duty, and to obey any orders the latter may give him as to cruising in those waters compatible with the purposes of his voyage, and not inconsistent with his returning to Port Townsend by the 1st September next.

I am &c

(Signed) CHAS. F. CONANT,
Acting Secretary.

Henry A. Webster, Esq.,
Collector of Customs, Port Townsend, W.T.

*Treasury Department, Office of the Secretary,
Washington, D.C., April 20, 1877.*

Sir,

The Department having determined to dispatch the revenue-steamer "Rush," under your command, to cruise in the waters of Alaska and among the Seal Islands for the protection of the sea-otter hunting-grounds and the seal fisheries, as well as the revenue from customs, you are directed immediately upon receipt hereof to take on board that vessel sufficient supplies of provisions, &c., for a five months' cruise, and such quantities of fuel and water as can be conveniently stored on board, and leave San Francisco, with your command, not later than the 1st May next, for the waters referred to, and make the best of your way to the places hereafter designated.

You will also touch at Fort Wrangel and Sitka, and leave at those places the copies of printed orders* relating to the protection of the Government interests in those waters which will be furnished you, and at Sitka you will confer with the Collector of Customs in relation to matters pertaining to the collection of the revenue in his district.

From that port you will proceed direct to Kodiak and thence to Unalaska, touching at Ounga and Belcovski *en route*, and posting at each of those places copies of the orders mentioned above, and conforming to instructions communicated to you in Department letter of even date herewith.

Having supplied the "Rush" with coal, you will cruise actively with said vessel among the Aleutian Islands until about the 10th September, and will strictly enforce the instructions of the Department contained in the printed orders and the letter of authority referred to above. To this end you will visit St. Paul and St. George at least twice during the season, and cover in your cruising the sea-otter hunting-grounds from Kodiak to Unalaska, and you will in the course of the season make one cruise to the westward, if practicable, as far as Attou, and touch at the principal otter-hunting stations between that island and Unalaska.

I am, &c.

(Signed) JOHN SHERMAN,
Secretary of the Treasury.

Captain Geo. W. Bailey, U.S.R.M.,
Commanding Revenue-steamer "Richard Rush,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., June 28, 1878.*

Sir,

The Department having determined to dispatch the revenue-steamer "Rush," under your command, to cruise in the waters of Alaska for the enforcement of the provisions of law and protection of the interests of the Government on the Seal Islands and sea-otter hunting-grounds of Alaska generally, you are directed to take on board that vessel, without delay, sufficient supplies of provisions, &c., for a five months' cruise, and such quantities of fuel and water as can be conveniently stored on board, and leave San Francisco, with your command, by the 10th proximo, if practicable, for the waters named, and make the best of your way to the places hereinafter designated.

You will also touch at Fort Wrangel and Sitka, and leave at those places copies of printed orders relating to the protection of the Government interests in those waters which will be furnished you.

From the last-named port you will proceed direct to Kodiak, and thence to Unalaska, touching at Ounga and Belcovski *en route*, and posting at each of these places copies of the orders mentioned above.

Having supplied the "Rush" with coal you will cruise actively with said vessel amongst the Aleutian Islands until the last of October, if practicable, and will strictly enforce the instructions of the Department contained in the printed orders and the letter of authority referred to above. To this end you will visit St. Paul and St. George at least twice during the season, and cover in your cruising the sea-otter hunting-grounds from Kodiak to Unalaska, leaving an officer and two men on Otter Island during the sealing season to prevent the killing of seals on that island; and you will, in the course of the season, make one cruise to the westward, if practicable, as far as Attou, and touch at the principal otter-hunting stations between that island and Unalaska.

Very respectfully,

(Signed) JOHN SHERMAN, *Secretary.*

Captain G. W. Bailey,
Commanding Revenue-steamer "Richard Rush,"
San Francisco, California.

* These and other printed orders hereinafter referred to will be found at pp. 100-102 of vol. I of the Appendix to the Case of the United States.

*Treasury Department, Office of the Secretary,
Washington, April 21, 1879.*

Sir,

During the cruise of the revenue-steamer "Rush," under your command, in Alaskan waters, the ensuing season, you will cause soundings, bearings, geographical and astronomical observations, notes on tides and currents, and the position of rocks, bars, &c., to be taken in the interest of science, and, on return of the "Rush" to San Francisco, submit detailed Reports of the same to the Department for transmission to the United States' Coast Survey.

I transmit herewith a copy of a letter of the 12th instant from the Superintendent of the Coast Survey, making suggestions in regard to the localities where special observations are desired, as indicated on duplicate sets of Charts forwarded herewith, one of which you will return with your Report referred to above, retaining the other on board the vessel.

The Coast Survey has expressed to the Department its appreciation of the great importance to science of the information heretofore obtained by you, and you will give the subject all the attention you may be able, during the contemplated cruise of the "Rush," without interfering with the regular duties of the vessel.

Very respectfully,
(Signed) JOHN SHERMAN, *Secretary.*

Captain Geo. W. Bailey,
Commanding Revenue-steamer "Richard Rush,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, May 15, 1880.*

Sir,

The Department having determined to dispatch the revenue-steamer "Corwin," under your command, to cruise in the waters of Alaska for the enforcement of the provisions of law and protection of the interests of the Government on the Seal Islands and the sea-otter hunting-grounds, and of Alaska generally, you are directed to take on board that vessel, without delay, supplies of provisions for a six months' cruise, and sufficient quantities of fuel and water, and leave San Francisco, with your command, not later than the 22nd instant for the waters named, and make the best of your way to the places hereinafter designated.

It is desirable that you should be in Behring Sea and the Arctic Ocean as early in the season as the opening of navigation will permit. You will accordingly proceed from San Francisco direct to Ounalaska, and on arrival there will take in a fresh supply of coal. From this point you will proceed to Norton Sound, touching at the Seal Islands on your way. You will leave an officer and two men on Otter Island, for the purpose of protecting the seals there, unless you should deem it necessary to take all your command with you in your further cruise to the northward.

It is expected that you will time the movements of your vessel so as to arrive in Norton Sound before Behring Straits are open for the passage of vessels, and that you will avail yourself of the first opportunity to push into the Arctic Ocean.

By reference to the Report of Captain George W. Bailey, United States' Revenue Marine, who commanded the revenue-steamer "Rush" in her cruise last year in Alaskan waters, you will observe that Kotzebue Sound in the Arctic Ocean is reported as the rendezvous of a number of vessels engaged in illicit traffic with the natives of Alaska in rum and fire-arms.

You will use your utmost endeavours to apprehend any such vessels as you may find thus engaged, and break up their illegal trade.

Should you be able to accomplish your mission in the Arctic Ocean early in the season, or find it necessary, in carrying out these instructions, to return to the Seal Islands before the usual time (say, the 10th October) for the return of the revenue-steamer from those waters, you will make a cruise to the westward from Ounalaska as far as Attou, with the general object of protecting the sea-otter hunting-grounds, and breaking up the business of the illicit traders who frequent those waters.

You will, whenever opportunity presents, transmit to the Department Reports of the progress of your cruise.

Very respectfully,
(Signed) JOHN SHERMAN, *Secretary.*

Captain C. L. Hooper,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, May 15, 1880.*

Sir,

Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Corwin," under your command, to Alaska, on special duty in connection with the seal fisheries, you are hereby clothed with full powers to enforce the law contained in the provisions of Section 1956 of the United States' Revised Statutes, and directed to seize all vessels and arrest and turn over to the proper authorities any or all persons whom you may detect violating the law referred to, after due notice shall have been given.

You will also seize any liquors or arms attempted to be introduced into the country without proper permit, under the provisions of Section 1955 of the Revised Statutes, and the Proclamation of the President dated the 4th February, 1870.

A copy of said Proclamation is inclosed.

Very respectfully,
(Signed) JOHN SHERMAN, *Secretary.*

Captain C. L. Hooper,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., April 21, 1881.*

Sir,

The Department having determined to dispatch the revenue-steamer "Corwin, under your command, to cruise in the waters of Alaska for the enforcement of the provisions of law and the protection of the interests on the Government of the Seal Islands and the sea-otter hunting-grounds, and Alaska generally, you are directed to take on board that vessel, without delay, supplies of provisions for a six months' cruise, and sufficient quantities of fuel and water, and leave San Francisco, with your command, not later than the 1st proximo, for the waters named, and make the best of your way to the places hereinafter designated.

It is desirable that you should be in Behring Sea and the Arctic Ocean as early in the season as the opening of navigation will permit. You will accordingly proceed from San Francisco direct to Ounalaska, and on arrival there will take in a fresh supply of coal. From this point you will proceed to the Arctic Ocean, touching at the Seal Islands and at St. Michael's, if practicable, on your way. You will leave an officer and two men on Otter Island for the purpose of protecting the seals there, unless, after conferring with the Special Agent in charge of the Seal Islands, you should deem it necessary to take all your command with you in your further cruise to the northward. Should you enter Norton Sound, it is expected you will time the movements of your vessel so as to arrive in those waters before Behring Straits are open for the passage of vessels. Following the instructions for your cruise of last year governing the illicit traffic with the natives, by unauthorized parties, in fire-arms, ammunition, and distilled spirits, you will use your utmost endeavours to apprehend any vessels you may find engaged in such illicit traffic, and break up their illegal trade.

Very respectfully,
(Signed) WILLIAM WINDOM, *Secretary.*

Captain C. L. Hooper,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., April 21, 1881.*

Sir,

Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Corwin," under your command, to Alaska, on special duty in connection with the seal fisheries, you are hereby clothed with full powers to enforce the law contained in the provisions of Section 1956 of the United States' Revised Statutes, and directed to seize all vessels and arrest and turn over to the proper authorities any or all persons whom you may detect violating the law referred to, after due notice shall have been given. Herewith is transmitted, for your information and guidance, a copy of Department letter of the 12th ultimo,* addressed to Mr. D. A. d'Ancona, of San Francisco, interpreting the law regulating the killing of fur-bearing animals in the Territory of Alaska.

You will also seize any fire-arms, ammunition, and distilled spirits attempted to be introduced into the country without proper permit, under the provisions of Section 1955 of the Revised Statutes, and the Proclamation of the President dated the 4th February, 1870.

A copy of said Proclamation is inclosed.

Very respectfully,
(Signed) WILLIAM WINDOM, *Secretary.*

Captain C. L. Hooper,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., August 9, 1881.*

Sir,

You are directed, as soon as practicable after the receipt hereof, to take on board the necessary supplies of provisions, &c., for a two months' cruise, together with such quantities of fuel and water as may be necessary, and proceed with the revenue-steamer "Rush," under your command, on a cruise to Alaska, for the purpose of protecting the seal fisheries and the sea-otter hunting-grounds against the depredations of unauthorized parties, and looking after the interests of the Government generally in that territory.

* See vol. 1 of the Appendix of the Case of the United States, p. 102.

You will first touch at Unalaska, and will proceed thence to the Islands of St. George and St. Paul, and confer with the Special Agent in charge of the seal fisheries.

At the first-named port you will take on such supplies of fuel from that in store belonging to the Revenue Marine Service as may be necessary for your cruising.

Inclosed you will find copies of communication received at the Treasury Department, from which it appears that a system of illicit trading and unlawful taking of seals and other fur-bearing animals is being carried on by small vessels amongst the waters of the Aleutian archipelago. The schooners "Flying Mist," Captain Walker, "Otter," Captain Littlejohn, and "Alexander," Captain Libby, are reported as being engaged, or about to engage, in this unlawful work.

Inclosed, also, you will find a copy of the decision of the Department in the case of Mr. d'Ancona, from which you will see that no persons, excepting those duly authorized by the Department, have the right to take seals or other fur-bearing animals anywhere within Alaskan waters. By the same letter the limits of what are known as Alaskan waters are defined.

You will exercise the utmost vigilance in your search for parties engaged in traffic, and in the seal and fur fisheries, contrary to law or the Regulations of the Department, and will seize any vessels or persons thus engaged.

Should you seize any vessel, you will obtain all possible evidence regarding her illegal pursuits, and deliver her to the Collector of Customs at the port of San Francisco.

From the Seal Islands you will make a cruise to the westward as far as Attou, if practicable, with a view to protecting the sea-otter hunting-grounds, and will return thence by way of Unalaska, from which point you will proceed a second time to the Seal Islands, keeping a sharp outlook for marauding vessels.

Thence you will return to San Francisco by way of Kodiak and Sitka, at which latter place you will communicate with the Collector of Customs, and receive from him such information or suggestions as he may have to offer. After leaving the latter port you will touch at Victoria for a supply of coal, if necessary.

Should you purchase coal at this place, you will certify bills therefor to the Department.

You will report to the Department by telegraph the day when you are ready to sail. It is desired that you enter upon this cruise with the least practicable delay.

You will submit a full Report of your cruise under these instructions.

Very respectfully,
(Signed) WILLIAM WINDOM, Secretary.

First Lieutenant M. A. Healy,
Commanding Revenue-steamer "Rush,"
San Francisco, California.

Treasury Department, Office of the Secretary,
Washington, D.C., April 12, 1882.

Sir,

The Department having determined to dispatch the revenue-steamer "Corwin" under your command, to cruise in the waters of Alaska for the enforcement of the provisions of law and protection of the interests of the Government on the Seal Islands and the sea-otter hunting-grounds, and of Alaska generally, you are directed to take on board that vessel, without delay, sufficient supplies of provisions for a six months' cruise, and such quantities of fuel and water as can be conveniently stored on board, and leave San Francisco with your command not later than the 25th instant for the waters named, and make the best of your way to the places hereinafter designated.

Having supplied the "Corwin" with coal, you will cruise actively with said vessel amongst the Aleutian Islands, and in Norton and Kotzebue Sounds, going as far as Point Barrow, if found practicable, until the 20th October next, and will strictly enforce the instructions contained in the printed orders and the letter of authority referred to above. To this end you will visit St. Paul and St. George at least twice during the season, and cover in your cruising the sea-otter hunting-grounds from Kodiak to Unalaska, leaving an officer and two seamen on Otter Island during the sealing season to prevent the killing of seals on that island, and you will, in the course of the season, make one cruise to the westward, if practicable, as far as Attou, and touch at the principal otter-hunting stations between that island and Unalaska.

Very respectfully,
(Signed) CHAS. J. FOLGER, Secretary.

Lieutenant M. A. Healy,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

Treasury Department, Office of the Secretary,
Washington, May 11, 1883.

Sir,

The Department having determined to dispatch the revenue-steamer "Corwin" under your command, to cruise in the waters of Alaska for the enforcement of the provisions of law and protection of the interests of the Government on the Seal Islands and the sea-otter hunting-grounds, and of Alaska generally, you are directed to take on board that vessel, without delay, sufficient supplies of provisions for a five months' cruise, and such quantities of fuel and water as can be conveniently stowed on board, and to leave San Francisco with your command by Monday, the 21st instant, if practicable, for the waters named, and make the best of your way to the places hereinafter designated.

You will touch at Departure Bay, and take on board all the coal that the "Corwin" can carry consistently with safety, bills for which, properly certified, you will transmit to the Department. You will also touch at Fort Wrangel and Sitka, and leave at those places the copies of printed orders relating to the protection of the Government interests in those waters which will be furnished you.

Having supplied said vessel with coal, you will cruise actively with your command amongst the Aleutian Islands and in Norton and Kotzebue Sounds, going as far as Point Barrow, if found practicable, until the 20th October next, and will strictly enforce the instructions contained in the printed orders and the letter of authority of this date. To this end you will visit St. Paul and St. George at least twice during the season, and cover in your cruising the sea-otter hunting-ground from Kodiak to Unalaska, leaving an officer and two seamen on Otter Island during the sealing season to prevent the killing of seals on that island, and you will, in the course of the season, make one cruise to the westward, if practicable, as far as Attou, and touch at the principal otter-hunting stations between that island and Unalaska.

Very respectfully,
(Signed) CHAS. J. FOLGER, *Secretary.*

Captain M. A. Healy,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, May 11, 1883.*

Sir,

Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Corwin," under your command, to Alaska, on special duty in connection with the seal fisheries, you are hereby clothed with full powers to enforce the law contained in the provisions of Section 1956 of the United States' Revised Statutes, and instructed to seize all vessels and arrest and deliver to the proper authorities any or all persons whom you may detect violating the law referred to, after due notice shall have been given.

You will also seize any liquors or arms attempted to be introduced into the country without proper permit, under the provisions of Section 1955 of the Revised Statutes, and the Proclamation of the President dated the 4th February, 1870.

Very respectfully,
(Signed) CHAS. J. FOLGER, *Secretary.*

Captain M. A. Healy,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, April 18, 1884.*

Sir,

The Department having determined to dispatch the revenue-steamer "Corwin," under your command, to cruise in the waters of Alaska for the enforcement of the provisions of law and protection of the interests of the Government on the Seal Islands and sea-otter hunting-grounds, and of Alaska generally, you are directed to take on board that vessel, without delay, sufficient supplies of provisions for a six months' cruise, and such quantities of fuel and water as can be conveniently stowed on board, and to leave San Francisco with your command by the 26th instant, if practicable, for the waters named, and make the best of your way to the places hereinafter designated.

You will proceed first to Unalaska, where you will take a supply of coal from that store belonging to the Revenue Marine; from this point you will cruise actively with your command in Norton and Kotzebue Sounds, going as far as Point Barrow, if found practicable, and amongst the Aleutian Islands, continuing your cruising until the 20th October next. You will strictly enforce the instructions contained in the printed orders and the letter of authority of this date, clothing you with power to make arrests, &c.

To effectually guard the seal fisheries and protect the seal life, you will visit St. Paul and St. George at least twice during the season, and you will cover in your cruising the sea-otter hunting-grounds from Kodiak to Unalaska, leaving an officer and two seamen on Otter Island during the sealing season to prevent the killing of seals on that island.

You will at least once in the course of the season make a cruise to the westward, as far as Attou, if practicable, touching at the principal otter-hunting stations between that island and Unalaska.

Very respectfully,
(Signed) CHAS. J. FOLGER, *Secretary.*

Captain M. A. Healy,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, April 18, 1884.*

Sir, Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Corwin," under your command, to Alaska, on special duty in connection with the seal fisheries, you are hereby clothed with full power to enforce the law contained in the provisions of Section No. 1956 of the United States' Revised Statutes, and directed to seize all vessels and arrest and deliver to the proper authorities any or all persons whom you may detect violating the law referred to, after due notice shall have been given.

You will also seize any liquors or arms attempted to be introduced into the country without proper permit, under the provisions of Section 1955 of the Revised Statutes, and the Proclamation of the President dated the 4th February, 1870.

Very respectfully,
(Signed) CHAS. J. FOLGER, *Secretary.*

Captain M. A. Healy,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, April 18, 1885.*

Sir, The Department having determined to dispatch the revenue-steamer "Corwin," under your command, to cruise in the waters of Alaska for the enforcement of the provisions of law and protection of the interests of the Government on the Seal Islands and sea-otter hunting-grounds, and of Alaska generally, you are directed to take on board that vessel, without delay, sufficient supplies of provisions for a six months' cruise, and such quantities of fuel and water as can be conveniently stowed on board, and leave San Francisco with your command by the 25th instant, if practicable, for the waters named, and make the best of your way to the places hereafter designated.

You will proceed first to Unalaska, where you will take on a supply of coal from that in store belonging to the Revenue Marine. From this point you will cruise actively with your command amongst the Aleutian Islands, and in Norton and Kotzebue Sounds, and you will go as far as Point Barrow, if found practicable, continuing your cruising until the 20th October next.

You will strictly enforce the instructions contained in the printed orders, and the letter of authority of this date, clothing you with power to make arrests, &c.

To effectually guard the seal fisheries, and protect the seal life, you will visit and cruise in the neighbourhood of St. Paul and St. George at least twice during the season, and you will cover in your cruising the sea-otter hunting-grounds from Kodiak to Unalaska, leaving on officer and two seamen on Otter Island during the sealing season to prevent the killing of seals on that island.

You will at least once in the course of the season make a cruise to the westward, as far as Attou if practicable, touching at the principal otter-hunting stations between that island and Unalaska.

Very respectfully,
(Signed) D. MANNING, *Secretary.*

Captain M. A. Healy,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, April 18, 1885.*

Sir, Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Corwin," under your command, to Alaska, on special duty in connection with the seal fisheries, you are hereby clothed with full powers to enforce the law contained in the provisions of Section No. 1956 of the United States' Revised Statutes, and directed to seize all vessels and arrest and deliver to the proper authorities any or all persons whom you may detect violating the law referred to, after due notice shall have been given.

You will also seize any liquors or arms attempted to be introduced into the country without proper permit, under the provisions of Section 1955 of the Revised Statutes, and the Proclamation of the President dated the 4th February, 1870.

Very respectfully,
(Signed) D. MANNING, *Secretary.*

Captain M. A. Healy,
Commanding Revenue-steamer "Corwin,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, April 21, 1886.*

Sir, The Department has determined to dispatch the revenue-steamer "Bear," under your command, on a cruise to the Seal Islands, and into the Arctic Ocean, for the enforcement of the provisions of law and the protection of the interests of the Government in that territory; also to search for and obtain information, if possible, of the officers and crew (thirty-five persons in all) of the whaling barque "Amethyst," which vessel was last seen in the Arctic Ocean, off Cape Lisburne, the 12th October, 1885, and is supposed to have been lost on one of the islands in Behring Sea.

You will therefore immediately prepare for the voyage, taking on board sufficient supplies of provisions for a six months' cruise, and such quantities of fuel and water as can be conveniently stowed on board, and leave San Francisco with your command at the earliest date practicable, and make the best of your way to the places hereinafter designated, and to such other points as you may deem advisable for the purposes stated.

You will proceed first to Unalakleet, where you will take a supply of coal from that in store belonging to the Revenue Marine, and thence to the Seal Islands and into the Arctic Ocean, going as far north as Point Barrow, if found practicable, and continuing your cruise as late into the season as may seem to you to be advisable.

You will strictly enforce the instructions contained in the printed orders and the letter of authority of this date, clothing you with power to make arrests, &c.

From the nature of the duties in which you and your command are about to engage, a great deal must of necessity be left to your judgment, and, from your former services and experience in the waters of Alaska, the Department feels justified in leaving the details of your cruise to your discretion.

You will telegraph the date of your departure from San Francisco, and of the return of your command to that port.

Respectfully yours,
(Signed) C. S. FAIRCHILD,
Acting Secretary.

Captain M. A. Healy,
Commanding Revenue-steamer "Bear,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, April 21, 1886.*

Sir,

Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Bear," under your command, to the Seal Islands, &c., you are hereby clothed with full power to enforce the law contained in the provisions of Section 1956 of the United States' Revised Statutes, and directed to seize all vessels and arrest and deliver to the proper authorities any or all persons whom you may detect violating the law referred to, after due notice shall have been given.

You will also seize any liquors or fire-arms attempted to be introduced into the country without proper permit, under the provisions of Section 1955 of the Revised Statutes, and the Proclamation of the President dated 4th February, 1870.

Respectfully yours,
(Signed) C. S. FAIRCHILD,
Acting Secretary.

Captain M. A. Healy,
Commanding Revenue-steamer "Bear,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, May 28, 1886.*

Sir,

The Department having determined to dispatch the revenue-steamer "Corwin," under your command, for a cruise in the waters of Alaska for the enforcement of the provisions of law and the protection of the interests of the Government on the Seal Islands and sea-otter hunting-grounds, and of Alaska generally, you are directed to take on board the "Corwin," without delay, sufficient supplies of provisions for a four months' cruise, and such quantities of fuel and water as can be conveniently stowed on board, and leave Astoria with your command at the earliest date practicable for the waters named, and make the best of your way to the places hereinafter designated.

You will proceed first to Unalakleet, where you will take a supply of coal from that in store belonging to the Revenue Marine. From this point you will cruise actively with your command amongst the Aleutian Islands, and in the vicinity of the Seal Islands, going as far north as St. Mathew's Island, and continuing your cruise until the latter part of September, unless sooner relieved by the revenue-steamer "Bear," which vessel is now on a cruise to the Arctic, and is expected to arrive at the Seal Islands on her return trip between the 1st and 15th September next. You will strictly enforce the instructions contained in the printed orders and the letter of authority of this date, clothing you with power to make arrests, &c., and you will endeavour to effectually guard the seal fisheries and protect the seal life; and to this end you will lay off and on, around the Seal Islands, the greater part of the time, making occasional visits to Unga and Belkowski in the sea-otter interests. If practicable, you will make one cruise during the season to the westward, as far as Attou, touching at the principal otter-hunting stations between that island and Unalakleet, at which latter place you will take on your supplies of fuel and water.

Respectfully yours,
(Signed) C. S. FAIRCHILD,
Acting Secretary.

Captain Charles A. Abbey,
Commanding Revenue-steamer "Corwin,"
Astoria, Oregon.

*Treasury Department, Office of the Secretary,
Washington, May 28, 1886.*

Sir, Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Corwin," under your command, to Alaska, on special duty in connection with the seal fisheries, you are hereby clothed with full power to enforce the law contained in the provisions of Section 1956 of the United States' Revised Statutes, and directed to seize all vessels and arrest and deliver to the proper authorities any or all persons whom you may detect violating the law referred to, after due notice shall have been given.

You will also seize any liquors or arms attempted to be introduced into the country without proper permit, under the provisions of Section 1955 of the Revised Statutes, and the Proclamation of the President dated the 4th February, 1870.

Respectfully yours,
(Signed) C. S. FAIRCHILD,
Acting Secretary.

Captain C. A. Abbey,
Commanding Revenue-steamer "Corwin,"
Astoria, Oregon.

*Treasury Department, Office of the Secretary,
Washington, May 10, 1887.*

Sir, The Department has determined to dispatch the revenue-steamer "Bear," under your command, on a cruise to the Seal Islands and into the Arctic Ocean for the enforcement of the provisions of law and the protection of the interests of the Government in the Territory of Alaska. You will immediately prepare for the voyage, and leave San Francisco, with your command, at the earliest date practicable, and make the best of your way to the places hereinafter designated, and to such other points as you may deem advisable for the purposes stated.

You will proceed first to Ounalaska, where you will take on board such quantity of coal as may be needed from that in store belonging to the Revenue Marine. Thence you will proceed to the Seal Islands, where you will remain to guard the seal fisheries and protect the seal life until relieved by another revenue-vessel.

Upon being relieved from this duty you will continue to cruise in Behring Sea and along the coast of Alaska, visiting the Islands of St. Mathew and St. Lawrence, and the several trading posts along the coast. Should you deem it necessary for the protection of the Government interests, you are authorized to proceed into the Arctic Ocean as far as Point Barrow, if in your judgment it can be done without endangering the vessel.

You will time your cruise so as to return to the Seal Islands about the 15th September next, and you will remain in the vicinity of those islands as late in the month of October as you may consider necessary to protect the Government interests there, and upon your return you will proceed direct from Ounalaska to San Francisco, unless it should be necessary for you to go to Sitka on account of any seizures that may be made by you or by the revenue-steamer "Rush."

For your guidance in protecting the interests of the Government on this cruise, your attention is invited to the special instructions of even date herewith.

Respectfully yours,
(Signed) C. S. FAIRCHILD, *Secretary*

Captain M. A. Healy,
Commanding Revenue-steamer "Bear,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, May 10, 1887.*

Sir, Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Bear," under your command, to the Seal Islands, you are hereby clothed with full power to enforce the law contained in Section 1956 of the United States' Revised Statutes, which prohibits the killing of any otter, mink, marten, sable or fish-eel, or other fur-bearing animals, within the limits of Alaska Territory, or in the waters thereof, except as provided in Sections 1960 and 1962 of said Statutes, and Department Regulations of the 21st April, 1879. Your attention is called to Section 1961 of the Revised Statutes, which forbids the killing anywhere of female seal, and seals less than 1 year old.

You will use the force at your command to the end that no persons attached to or connected with any vessels of the United States violate this law, and will strictly enforce the penalties provided for such violation.

You will be diligent in enforcing the laws against the importation of intoxicating liquors and breach-loading rifles and ammunition into the Territory of Alaska, your attention being directed to the Executive Order of the 4th May, 1887, a copy of which is inclosed.

Respectfully yours,
(Signed) C. S. FAIRCHILD, *Secretary.*

Captain M. A. Healy,
Commanding Revenue-steamer "Bear,"
San Francisco, California.

Telegram.

*Treasury Department, Office of the Secretary,
Washington, May 18, 1887.*

First paragraph of your instructions relates to all vessels found within the limits of Alaska Territory, or in the waters thereof, engaged in violating the provisions of Section 1956, Revised Statutes. The specific mention of American vessels has reference to violation of Section 1961, Revised Statutes, and applies to them wherever found violating the law.

(Signed) HUGH S. THOMPSON,
Acting Secretary.

Captain M. A. Healy,
Commanding Revenue-steamer "Bear,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, May 28, 1887.*

Sir,

The Department having determined to dispatch the revenue-steamer "Rush," under your command, for a cruise in the waters of Alaska for the enforcement of the provisions of law in those waters, and for the protection of the interests of the Government on the Seal Islands, you are directed to leave San Francisco, with your command, at the earliest date practicable, for the waters named, and make the best of your way to the places hereinafter designated.

You will proceed first to Unalakleet, where you will take a supply of coal from that in store belonging to the Revenue Marine. Thence you will proceed to the Seal Islands, relieving the revenue-steamer "Bear" from duty at that place, and cruise actively with your command with the view to effectually guard the seal fisheries and protect the seal life. To this end you will lay off and on around the islands the greater part of the time, returning at intervals to Unalakleet for coal.

You will remain in the vicinity of the Seal Islands until the latter part of September next, unless sooner relieved by the steamer "Bear," which vessel is expected to return to the islands between the 1st and 5th September next.

After being relieved by the "Bear" you will, if practicable, visit the Islands of Unga and Belcovskie, in the sea-otter interests, and such other points in that portion of Alaska as may require your attention, and will then return to San Francisco. For your guidance in protecting the interests of the Government on this cruise, your attention is invited to the special instructions of even date herewith.

In carrying out these instructions, you will cruise the "Rush" under canvas, to assist steam, as far as may be practicable.

Respectfully yours,
(Signed) C. S. FAIRCHILD, *Secretary.*

Captain L. G. Shepard,
Commanding Revenue-steamer "Rush,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, May 28, 1887.*

Sir,

Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Rush" to the Seal Islands, &c., you are hereby clothed with full power to enforce the law contained in Section 1956 of the United States' Revised Statutes, which prohibits the killing of any otter, mink, marten, sable, or fur-seal, or other fur-bearing animals, within the limits of Alaska Territory, or in the waters thereof, except as provided in Sections 1960 and 1962 of said Statutes, and Department Regulations of the 21st April, 1879. Your attention is called to Section 1961 of the Revised Statutes, which forbids the killing anywhere of female seals and seals less than 1 year old.

Respectfully yours,
(Signed) C. S. FAIRCHILD, *Secretary.*

Captain L. G. Shepard,
Commanding Revenue-steamer "Rush,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, May 28, 1887.*

Sir,

Referring to letter of this date, containing instructions in relation to the enforcement of the laws pertaining to the killing of seals, &c., you are informed that similar instructions were recently sent to Captain M. A. Healy, commanding the revenue-steamer "Bear," who telegraphed for more definite directions.

A copy of the reply to the telegram of that officer is inclosed, for your information.

Respectfully yours,
(Signed) C. S. FAIRCHILD, *Secretary.*

Captain L. G. Shepard,
Commanding Revenue-steamer "Rush,"
San Francisco, California.

Note.—Copies of the following letters were also inclosed :—

Secretary Manning to the Collector of Customs at San Francisco, the 6th March, 1886, for which see vol. i. Appendix of the United States' Case, p. 163 ; Acting Secretary French to D. A. d'Ancona, the 12th March, 1881, for which see same volume, p. 102.

*Treasury Department, Office of the Secretary
Washington, D.C., May 16, 1888.*

Sir,

The Department having determined to dispatch the revenue-steamer "Bear," under your command, for a cruise in the waters of Alaska for the enforcement of the provisions of law in those waters, and for the protection of the interests of the Government on the Seal Islands, you are directed to leave San Francisco, with your command, at the earliest date practicable, for the waters named, and make the best of your way to the places hereinafter designated.

You will proceed first to Oumalaska, and thence to the Seal Islands, with the view to effectually guard the seal fisheries, and protect the seal life. To this end you will lay off and on around the islands the greater part of the time, returning to Oumalaska when necessary, at which place you will take on any needed supplies of coal from that in store belonging to the Revenue Marine. You will remain in the vicinity of the Seal Islands until the latter part of September next, unless sooner relieved by the steamer "Rush," which vessel is expected to leave San Francisco about the 1st July, and in that event further orders will be sent you. Should you receive no other orders from the Department, you will return to San Francisco as above directed, visiting on your return the Islands of Unge and Belcovskie, in the sea-otter interests, and such other points in that portion of Alaska as may require your attention.

For your guidance in protecting the interests of the Government on this cruise, your attention is invited to the special instructions of even date herewith.

Respectfully yours,
(Signed) C. S. FAIRCHILD, Secretary.

Captain M. A. Healy,
Commanding Revenue-steamer "Bear,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., May 16, 1888.*

Sir,

Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Bear" to the Seal Islands, &c., you are hereby clothed with full power and directed to enforce the provisions of law contained in Section 1966 of the United States Revised Statutes, which prohibits the killing of any otter, mink, marten, sable, or fur-seal, or other fur-bearing animals, within the limits of Alaska Territory, or in the waters thereof, except as provided in Sections 1960 and 1962 of said Statutes, and Department Regulations of the 21st April, 1879. Your attention is called to Section 1961 of the Revised Statutes, which forbids the killing anywhere of female seals and seals less than 1 year old. You will use the force at your command to the end that no persons attached to or connected with any vessel of the United States violate this law, and will strictly enforce the penalties provided for such violation.

You will be diligent in enforcing the laws against the importation of intoxicating liquors and breech-loading rifles and ammunition into the Territory of Alaska, your attention being directed to the Executive Order of the 4th May, 1887, copies of which are inclosed.

Respectfully yours,
(Signed) C. S. FAIRCHILD, Secretary.

Captain M. A. Healy,
Commanding Revenue-steamer "Bear,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., May 23, 1889.*

Sir,

The President having designated the revenue-steamer "Rush," under your command, to cruise in the waters of Behring Sea for the protection of the seal fisheries and the interests of the Government on the Seal Islands and the sea-otter hunting-ground, and the enforcement of the provisions of law, you are directed to leave San Francisco, with your command, at the earliest date practicable, for the waters named, proceeding by the way of Unge and Belcovskie to Oumalaska, at which place you will take on board such supplies of coal as may be necessary from that in store belonging to the Revenue-otter Service.

From Oumalaska you will proceed into Behring Sea, the waters of which you will diligently cruise, and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein, proceeding to Oumalaska when necessary.

You will remain with your command in the waters named as late in the season as you may deem proper to carry out the instructions of the Department.

You will receive from the owners of such vessels as may have sailed for Behring Sea on sealing or other hunting voyages open letters of recall addressed to the captains of the same, which letters

will be delivered if such vessels are fallen in with and are found not to have committed any violations of the laws of the United States.

Herewith are transmitted thirty copies of the President's Proclamation of the 21st March, 1889, for distribution to parties affected thereby, as far as may be practicable.

For your guidance in protecting the interests of the Government on this cruise, your attention is invited to the special instructions of even date herewith.

You will advise the Department by telegraph of the date of leaving San Francisco, and of your return to that port.

Respectfully yours,
(Signed) W. WINDOM, *Secretary.*

Captain L. G. Shepard,
Commanding Revenue-steamer "Rush,"
San Francisco, California.

(Same to Captain Healy, of Revenue-steamer "Bear.")

*Treasury Department, Office of the Secretary,
Washington, D.C., May 23, 1889.*

Sir,

Referring to Department letter of this date, directing you to proceed with the revenue-steamer "Rush" to cruise in the waters of Behring Sea, you are hereby clothed with full power and directed to enforce the provisions of law contained in Section 1956 of the United States' Revised Statutes, which prohibits the killing of any otter, mink, marten, sable, or fur-seal, or other fur-bearing animal, within the limits of Alaska Territory, or in the waters thereof, except as provided in Sections 1960 and 1962 of said Statutes, and in Department Regulations of the 21st April, 1879.

You will also be diligent in enforcing the laws against the importation of intoxicating liquors and breech-loading rifles and ammunition into the Territory of Alaska.

Your attention is called to the Proclamation of the President dated the 21st March, 1889, and the Executive Order of the 4th February, 1870, copies of which are inclosed.

Respectfully yours,
(Signed) W. WINDOM, *Secretary.*

Captain L. G. Shepard,
Commanding Revenue-steamer "Rush,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., May 21, 1890.*

Sir,

You are informed that the President has designated the revenue-steamer "Bear," under your command, to cruise in the waters of Behring Sea for the protection of the seal fisheries and the interests of the Government on the Seal Islands and the sea-otter hunting-grounds. You are accordingly clothed with full power and are hereby directed to enforce the provisions of law contained in Section 1956 of the Revised Statutes, as supplemented by section 3 of the Act of the 2nd March, 1889, except as provided in Sections 1960 and 1962 of said Statutes, amended by Act of Congress, approved the 24th March, 1874, and in Department Regulations of the 21st April, 1879.

You will time your cruise in the Arctic so as to reach Unalaska on your return trip not later than the 1st September next. After taking on board at the latter-named place a supply of coal from the store house, you will proceed into Behring Sea, the waters of which you will diligently cruise, and arrest all persons and seize all vessels found to be or to have been engaged in any violation of the laws of the United States therein.

If from any cause you shall find it impracticable to take into port any such vessel with her tackle, apparel, furniture, and cargo, and deliver the same into the custody of the proper officer of the United States, you will take possession of the log-book, documents, and other papers pertaining thereto, also of all skins of fur-bearing animals found on board thereof, any portion of which have been unlawfully taken in said waters, and will also seize the implements and appliances belonging to and used by such vessel, or the crew thereof, in killing fur-bearing animals contrary to law, or in taking and preserving the skins of the same.

You will remain in Behring Sea in the performance of the duty for which the vessel has been designated by the President as late in the season as in your judgment may be necessary, and upon the completion of this duty you will return to San Francisco.

Herewith are transmitted copies of the President's Proclamation of the 15th March, 1890, and the Law relating to the salmon fisheries, for distribution, as far as may be practicable, to parties affected thereby.

Herewith is also transmitted, for your information and for distribution, copies of Department letter, dated the 12th March, 1881, to Mr. D. A. d'Ancona, of San Francisco.

You will advise Department by telegraph of the date of leaving Seattle, and of your return to San Francisco.

Respectfully yours,
(Signed) W. WINDOM, Secretary.

Captain M. A. Healy,
Commanding Revenue-steamer "Bear,"
Seattle, Washington.

(Same to Captain Coulson, of the revenue-steamer "Rush," and to Captain Hooper, of the revenue-steamer "Corwin.")

*Treasury Department, Office of the Secretary,
Washington, D.C., March 17, 1891.*

Sir,
The Honourable the Attorney-General has requested that a revenue-vessel be sent to Alaska for the purpose of arresting certain murderers and picking up the necessary witnesses in that portion of the Territory west of Sitka, and conveying them to that place in time for the May term of Court.

You are accordingly directed to proceed with the revenue-steamer "Bear," under your command, at the earliest date practicable, to Seattle, Washington, at which place you will take on from the Black Diamond Coal and Mining Company such quantity of coal as the vessel can conveniently carry. Thence you will proceed direct to Unalakleet, and receive on board the Deputy United States' Marshal at that place. From Unalakleet you will visit the Seal Islands, for the purpose of delivering the mails and receiving communications for the Department. After leaving the Seal Islands, you will visit such places as the Deputy Marshal may desire, and as in your judgment may be expedient, for the purpose of arresting criminals and collecting witnesses, and will then proceed to Sitka and report to the United States' Marshal at that place, to whom you will deliver any prisoners and others that may be in your custody.

Upon the completion of this duty, should it not be absolutely necessary for you to return to San Francisco before making your regular cruise to the north, you will proceed to Seattle for fuel and supplies, and there await further instructions from the Department.

You will telegraph the dates of your departure from San Francisco, your arrival and departure from Seattle, and your return to either of the ports named.

Very respectfully,
(Signed) O. L. SPAULDING,
Assistant Secretary.

Captain M. A. Healy,
Commanding Revenue-steamer "Bear,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., March 17, 1891.*

Sir,
Referring to Department orders of this date, directing you to proceed with your command to Alaska, you are hereby clothed with full power and instructed to enforce the laws against the importation of distilled spirits and fire-arms into that Territory, and to make arrests of all persons and seize all vessels found violating the same.

In this connection your attention is invited to Section 1955 of the Revised Statutes, authorizing the seizure of the articles and of the vessels (if the value of the prohibited articles exceeds 400 dollars, engaged in the traffic).

You will exercise great care in making arrests and seizing articles, and see that you have sufficient evidence on which to convict the parties engaged in this unlawful business.

Respectfully yours,
(Signed) O. L. SPAULDING,
Assistant Secretary.

Captain M. A. Healy,
Commanding Revenue-steamer "Bear,"
San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., May 3, 1891.*

Sir,
You are informed that the President has designated the revenue-steamer "Rush," under your command, to cruise in the waters of Alaska Territory for the protection of the seal fisheries and the interests of the Government on the Seal Islands and the sea-otter hunting grounds. You are accordingly clothed with full power, and are hereby directed to enforce the provisions of law contained in Section 1955 of the Revised Statutes, as supplemented by Section 3 of the Act of the 2nd March, 1891, except as provided in Sections 1960 and 1962 of said Statutes, amended by Act of Congress approved the 24th March, 1891, and in Department Regulations of the 2nd April, 1891.

You are informed that in the event of any seizures being made the United States' District Court at Sitka has jurisdiction over such seizures.

Herewith are transmitted copies of the President's Proclamation of the 4th April, 1891, and of the Law relating to the salmon fisheries, for distribution, as far as may be practicable, to parties affected thereby.

Special instructions in regard to the protection of fur-bearing animals in the Territory of Alaska, or the waters thereof, will be sent to you, either by telegraph or by mail, before sailing.

You will remain in the vicinity of the Seal Islands and Ounalaska until the 20th September next, or until the return of the steamer "Bear," which vessel is expected to arrive at Ounalaska from the Arctic early in September next, and you will then return, with your command, to San Francisco.

You will advise the Department by telegraph of the date of leaving San Francisco, and of your return to that port.

Respectfully yours,
(Signed) CHARLES FOSTER, *Secretary.*

Captain W. C. Coulson,
Commanding Revenue-steamer "Rush,"
San Francisco, California.

Telegram.

*Treasury Department, Office of the Secretary,
Washington, D.C., May 27, 1891*

You are directed to sail at once, under Department orders of the 9th instant. "Corwin" will follow in a few days, and will bring additional instructions. You will consider the final orders given you when you sailed last year regarding your duty in protecting seal life as being in force until you receive further instructions.

(Signed) CHARLES FOSTER, *Secretary.*

Captain W. C. Coulson,
Commanding Revenue-steamer "Rush,"
San Francisco, California.

No. 3.

Notice by the British Agent, September 30, 1892.

THE Undersigned, Agent of Her Britannic Majesty appointed to attend the Tribunal of Arbitration convened under the provisions of the Treaty concluded at Washington on the 29th February, 1892, between Her Britannic Majesty and the United States, has the honour, by direction of Her Majesty's Government, to give notice that he calls for the production by the United States' Government of the originals of all the official records or archives alluded to in the foot-note to p. 41 of the United States' Case, that is to say:—

The documents cited in the Case of the United States relating to the affairs of the Russian-American Company which belong to the official records or archives of the territory which was ceded to the United States by Russia by the Treaty of 1867, as stated in the above-mentioned foot-note.

The Undersigned, &c.

(Signed) CHARLES H. TUPPER.
Agent of Her Britannic Majesty in this behalf.

No. 4.

Mr. Foster to Mr. Tupper.

Washington, November 5, 1892.

THE Undersigned, Agent of the United States appointed to attend the Tribunal of Arbitration convened under the provisions of the Treaty concluded at Washington on the 29th February, 1892, between the United States and Her Britannic Majesty, begs to state in reply to the Notice of the Agent of Her Britannic Majesty delivered to the Undersigned on the 30th December, 1892, which Notice calls for the production by the United States' Government of the originals of certain documents therein designated, that such originals will be produced at the proper time in case the Arbitrators so direct.

The Undersigned begs also to state that such originals may at any time be inspected at the Department of State, in Washington, by any Agent whom the British Government may appoint for such purpose.

The Undersigned, &c.

(Signed) JOHN W. FOSTER.

Notice by the British Agent.

October 3, 1892.

THE Undersigned, Agent of Her Britannic Majesty appointed to attend the Tribunal of Arbitration convened under the provisions of the Treaty concluded at Washington on the 29th February, between Her Britannic Majesty and the United States, has the honour, by direction of Her Majesty's Government, to give notice that he applies for the production by the Agent of the United States of copy of the decision of the Treasury Department, and of the letter of the 4th April, 1881, referred to at p. 81 of the Case of the United States, as follows:—

"This decision was confirmed by the Treasury Department on the 4th April, 1881, and again on the 6th March, 1886. On this last occasion the Secretary of the Treasury wrote as follows: 'The attention of your predecessor in office was called to this subject on the 4th April, 1881. This communication is addressed to you, inasmuch as it is understood that certain parties at your port contemplate the fitting out of expeditions to kill fur-seals in these waters. You are requested to give due publicity to such letters, in order that such parties may be informed of the construction placed by this Department upon the provision of Law referred to.'"

The Undersigned, &c.

(Signed) CHARLES H. TUPPER.

Agent of Her Britannic Majesty in this behalf.

To General the Hon. John W. Foster,
Agent of the United States, &c.

Notice by the British Agent.

October 3, 1892.

THE Undersigned, Agent of Her Britannic Majesty, appointed to attend the Tribunal of Arbitration convened under the provisions of the Treaty concluded at Washington on the 29th February, between Her Britannic Majesty and the United States, has the honour, by direction of Her Majesty's Government, to give notice that he applies for the production by the Agent of the United States of copies of the following documents, that is to say:—

1. The Report of Treasury Agent Goff for the year 1889, mentioned on p. 153 and p. 343 of the Case of the United States.

2. The letters and documents mentioned in the correspondence quoted at pp. 48 to 90 of the United States' Case, Appendix, vol. i, and especially the following, namely:

(a.) Page 51. The Report of the Board of Administration of the Russian-American Company, dated the 14th November, 1819;

(b.) Page 55. The "communication from the Minister of Marine," referred to in the last paragraph of the letter from the Board of Administration of the Russian-American Company to Captain M. I. Muravief, of the Imperial Navy, Chief Manager of the Russian-American Colonies, written from St. Petersburg, the 23rd April, 1820;

(c.) Page 55. The two letters of Captain M. I. Muravief, Chief Manager of the Russian-American Colonies, dated the 26th and 28th July, respectively, referred to in the letter from the Board of Administration of the Russian-American Company to the said Captain Muravief, dated the 31st March, 1831;

(d.) Page 58. The Report of Mr. Yanovsky, dated the 25th February, 1820, alluded to in the letter from the Board of Administration of the Russian-American Company to the Chief Manager of the Russian-American Colonies, dated St. Petersburg, the 15th March, 1821;

(e.) Page 62. The transcript of views of the Russian-American Company, alluded to in paragraph 2 of the letter from the Minister of Finance to the Board of Administration of the Russian-American Company, dated St. Petersburg, the 18th July, 1822, as follows:

"In order that Baron Thyll's negotiations may be facilitated and brought to a speedy conclusion, he has been furnished with a transcript of the Russian-American Company's views as to the Rules we could ask the Government of the American United States to observe, with a view to the maintenance of friendly intercourse without injury to the vast interests of our Company and those of the native inhabitants of that country."

(f.) Page 63. The representations of the Board of Administration of the Russian-American Company, under No. 73 of the 11th February, 1824, concerning the permission to foreign vessels of entering the Harbour of New Archangel for certain purposes, alluded to in the first paragraph of the letter from the Minister of Finance (Department of Manufactures and Internal Trade) to the Board of Administration of the Russian-American Company, dated St. Petersburg, the 2nd April, 1824;

(g.) Page 67. The letter from the Directors of the Russian-American Company to the Minister of Finance, dated the 12th June, 1824, alluded to in the first paragraph of the letter from the Minister of Finance to the Board of Administration of the said Company, dated St. Petersburg, 4th September, 1824;

(h.) Page 71. The despatch (No. 114) of the 20th April, 1840, from Captain Ivan Antonevitch Kupreianof to the Board of Administration of the Russian-American Company, alluded to in the first paragraph of the communication from the Board of Administration of the said Company to the said Captain Antonevitch Kupreianof, dated St. Petersburg, 31st March, 1840;

(i.) Page 72. The despatches of the Board of Administration of the Russian-American Company, dated respectively the 12th April and 16th November, 1851, and the 2nd April, 13th May, and 23rd September, 1852, alluded to in a letter from the said Board of Administration to Captain Hlitch Rudakof, Acting Chief Manager, dated St. Petersburg, 20th March, 1853;

(j.) Page 73. The special instructions furnished the local Commanders, alluded to in the letter from the Board of Administration of the Russian-American Company to Captain Alexander Hlitch Rudakof, Acting Chief Manager, dated St. Petersburg, 20th March, 1853, as follows:—

" During the detention of this vessel in the port of Ayau, its Commander will place himself under the orders of the local colonial authorities in all cases of emergency, or of infringement of the Company's rights and privileges, for which purpose the local Commanders are furnished with special instructions."

(k.) Page 75. The proposal of the Minister of Finance referred to in the letter from the Department of Commerce and Manufactures to the Board of Administration of the Russian-American Company, dated St. Petersburg, 19th June, 1865, as follows:—

"The Council of State, after an examination of the proposal submitted by me concerning the revision of the Charter of the Russian-American Company and the organization of the Russian-American Colonies, directs"

(l.) Page 78. The "project" invited to be submitted by the Board of Administration of the Russian-American Company, in the letter from the Department of Commerce and Manufactures to the said Board of Administration, dated St. Petersburg, 19th June, 1865, as follows:—

"I hereby invite the Board to submit a project to be presented for the final consideration of the State Council"

(m.) Page 78. No. 18 of "Correspondence relating to the Affairs of the Russian-American Company."

(n.) Page 79. The "propositions submitted by the Company," alluded to in the Opinion of the Council of State, section 4, as follows:—

"4. (As to Articles VIII and IX.) The provisions to be included in the new Charter of the Company concerning the opening to free trade of the ports of New Archangel and Sitka, and of St. Paul on Kadiak Island, and the introduction into the Colonies generally of such trade and of industries, also the provisions concerning the importation and sale of spirituous liquors, and the supplying of arms and powder, shall be in accordance with the propositions now submitted by the Company"

(o.) Page 80. The order of the Board of Administration, dated the 14th December, 1816 (No. 715), referred to in the inclosure to the letter from the Board of Administration of the Russian-American Company to A. A. Baranof, Chief Manager of the Russian-American Colonies, dated St. Petersburg, the 6th April, 1817;

(p.) Page 81. The Regulations of the fur-seal industry mentioned in the despatch of Captain Etholin, Chief Manager of the Russian-American Colonies, dated the 9th May, 1843 (No. 287), and again mentioned in the letter from the Board of Administration of the Russian-American Company to the said Captain Etholin, dated St. Petersburg, the 8th March, 1843;

(q.) Page 82. The despatch of Captain Rudakof (No. 318), dated the 30th May, 1853, mentioned in the letter from the Board of Administration of the Russian-American Company to Captain Stepan Vassilievitch Voyevodsky, Chief Manager of the Russian-American Colonies, dated St. Petersburg, the 24th April, 1854;

(r.) Page 84. The despatch of Captain S. V. Voyevodsky (No. 41), dated the 9th March, 1857, alluded to in the letter from the Board of Administration of the Russian-American Company to the said Captain S. V. Voyevodsky, dated St. Petersburg, the 5th June, 1857;

(s.) Page 84. The despatch of the Board of Administration of the Russian-American Company of the 10th June, 1857 (No. 650), alluded to in the letter from the Chief Manager of the Russian-American Colonies to the said Board, dated the 7th October, 1857;

(t.) Page 86. The despatch of the Board of Administration of the Russian-American Company (No. 697), dated the 5th June, 1858, alluded to in the letter from the Chief Manager of the Russian-American Colonies to the said Board, dated the 12th January, 1859;

(u.) Page 88. The despatch of the Board of Administration of the Russian-American Company, dated the 31st January, 1863, alluded to in the letter from Captain J. V. Furuhelm, Chief Manager of the Russian-American Colonies, to the said Board, dated the 16th July, 1863;

(v.) Page 89. The instructions of Mollison, inclosed in a despatch of the Board of Administration (No. 81) of the 25th January, 1860, alluded to in the letter from the Chief Manager of the Russian-American Colonies to the said Board, dated the 16th July, 1863; and

(w.) Page 89. The despatch of the Board of Administration of the Russian-American Company (No. 81) of the 25th January, 1860, alluded to (as above) in the said letter of the Chief Manager of the Russian-American Colonies to the said Board, dated the 16th July, 1863.

The Undersigned, &c.

(Signed) CHARLES H. TUPPER,
Agent of Her Britannic Majesty in this behalf.

To General the Hon. John W. Foster,
Agent of the United States, &c.

No. 7.

Mr. Foster to Mr. Tupper.

THE Undersigned, Agent of the United States appointed to attend the Tribunal of Arbitration convened under the provisions of the Treaty concluded at Washington on the 29th February, 1892, between the United States and Her Britannic Majesty, herewith furnishes to the Agent of Her Britannic Majesty copies of the following documents, pursuant to two certain Notices delivered to the Undersigned on the 3rd day of October, 1892:—

1. A copy of the letter of the 4th April, 1881, referred to at p. 81 of the Case of the United States.

2. The Report of Treasury Agent Goff for the year 1889, mentioned on p. 153 and p. 343 of the Case of the United States.

With regard to the letters and documents referred to in section No. 2 of one of said Notices (in which section said letters and documents are designated as those mentioned in the correspondence quoted at pp. 48 to 90 of the United States' Case, Appendix, vol. i), the Undersigned begs to make the following statement:—

They do not, in his opinion, come within the class of documents of which copies may be applied for under said Treaty, for the reason that they are contained, not in the Case of the United States, but in a volume of the Appendices to said Case. Article IV limits the documents copies of which may be applied for to such as are specified or alluded to in the Case of either party; and the preceding Article clearly distinguishes between the 'cases of the two parties' and 'the documents, official correspondence, and other evidence on which each (party) relies,' or, in other words, the Appendices to said Cases.

Apart from this, an interpretation of Article IV which would concede to one party the right to call for documents referred to in the Appendices of the Case of the other party might result in imposing upon the latter the burden of a long and difficult search, such as the Undersigned believes it cannot have been the intention of the parties to place upon one another. An instance of how great this burden might be is afforded by the request of the Agent of Her Britannic Majesty herein referred to.

The Undersigned, however, regardless of the question of strict right, is desirous to furnish to the Agent of Her Britannic Majesty copies of all documents which he has signified his wish to examine, and which it is within the reasonable ability of the Undersigned to furnish. He therefore presents herewith copies of such of those documents specifically referred to in said section No. 2 as are in the possession of the United States' Government, to wit, those designated as follows: (d), (g), (k), (i), (p), (e), (f), (u), (r), and (w).

It is apparent from the reference thereto by the Agent of Her Britannic Majesty that a number of the documents called for by him, and not included in this response, could hardly be found elsewhere than in the archives of the Russian-American Company at St. Petersburg.

To facilitate the identification of the copies of the documents herewith presented, they have been marked respectively with the same letters with which they are designated in the said section No. 2.

The Undersigned begs to state that he waives the fact that neither of the said Notices was delivered to him within the period provided in Article IV of the said Treaty.

The Undersigned, &c.

(Signed)

JOHN W. FOSTER,

Agent of the United States.

Washington, November 12, 1892.

Inclosure 1 in No. 7.

Mr. French to Collector of Customs, San Francisco, California.

*Treasury Department, Office of the Secretary,
Washington, D.C., April 4, 1881.*

Sir,

I transmit herewith, for your information, copy of a letter addressed to Mr. D. A. d'Ancona, of your city, under date of the 12th ultimo, in regard to the extent of the jurisdiction of the United States within the waters of the Territory of Alaska, with reference to the killing of fur-seals and other fur-bearing animals, under Chapter 3, Title 23, of the Revised Statutes.

You are requested to give due publicity to such letter, in order that parties who may contemplate fitting out expeditions to kill fur-bearing animals within the waters of Alaska Territory may be informed of the construction placed by this Department upon the Law referred to.

Very respectfully,

(Signed)

H. F. FRENCH,

Acting Secretary.

Inclosure 2 in No. 7.

Mr. Guff to Mr. Windom.

Sir,

St. Paul Island, Alaska, July 31, 1889.

I HAVE the honour to transmit a Report of the operations and the condition of the Seal Islands of Alaska for the year ending the 31st July, 1889. I also accept and inclose the Reports of Mr. J. P. Manchester and Captain A. P. Loud, Assistant Treasury Agents of St. Paul and St. George Islands respectively, they having been personally in charge of these islands for the past two years.

The inclosed tabulated Mortality Tables were made by Dr. C. A. Lutz, the resident physician of this island, are correct and worthy of consideration. I shall confine my remarks to the Island of St. Paul, as I have had no opportunity to visit St. George Island since my arrival here on the 1st June. I am satisfied, however, from the information I have received from Colonel Joseph Murray, Treasury Agent now in charge of St. George Island, that the same condition of affairs exists there as on this (St. Paul) island.

By referring to the itemized statement of skins taken, you will observe the number of pups killed for food during the fall of 1888 was 2,178. This was an unusually small number, excepting the year previous, but it was adjudged the proper per cent. to kill under the existing circumstances, and respecting the future of the rookeries. The killing of a large number of merchantable seals for food followed during the winter; their skins were salted and accepted by the Alaska Company as part of their quota of skins for this year. The first appearance of the bulls to their usual haunts was on the 5th May, but the coming of these animals to the rookeries was unusually late, followed by a late appearance of the cows. At first it is supposed that the severe winter had prevented the seals from returning as in the past, but close observation on the part of Mr. J. P. Manchester revealed the fact that it was owing to the scarcity of the seals, which was to him very perceptible as the season advanced, and as the killing by the Alaska Commercial Company proceeded, the daily, weekly, and monthly receipts were much smaller than ever before. The small number of pups killed in the fall for food, the late appearance of the bulls and cows the following spring in large schools as in the past, and the alarming decrease in the daily, weekly, and monthly receipts of the Alaska Commercial Company, and as a *dévastateur* resort by said Company to secure their 100,000 skins, the killing of smaller seals than was customary, attest conclusively that Mr. J. P. Manchester's observations were undoubtedly correct, that there is scarcity of seals, and that within the last year or so they are, from some cause, decreasing far beyond the increase.

As this is the last year of the present lessees, and there is a new lease to be made, I would respectfully suggest that it is of vital importance to the existence of seal life that the annual quota in the future be limited to the taking of 60,000 skins as the maximum from the Pribyloff Islands—52,500 from St. Paul, Otter, and Walrus Islands, and 7,500 from St. George Island—for the first five years of the lease. At the expiration of said time the number to be increased or decreased as the Secretary of the Treasury may deem advisable. The work of killing seals and salting skins has been accomplished only through the assistance rendered by labour imported from Omulaska, as the number of labourers on the island was too small to complete the task within the limited time allotted by the Government. By reference to the Census you will see that the inhabitants are annually decreasing, and that the females are largely in excess of the males. And here I will say I heartily concur with Mr. T. F. Ryan, formerly Treasury Agent to these islands, whose letter to the Department, bearing date the 8th April, 1889, upon the subject, was referred to me, and in reply to Department letter to me bearing date the 6th May, 1889, will say that some way to infuse new life into these few remaining people should be devised by the Department at once and speedily executed before it is too late. It is impossible for the Treasury Agent in charge to receive reliable information concerning the wishes and conditions of the natives elsewhere on the Aleutian chain, whether they are willing or ever would come to these islands to live. He has no facility for travelling to either Otter or Walrus Islands, both within a range of 10 miles to this island. And it is his duty to visit them occasionally, without it is through the courtesy extended by the Alaska Commercial Company, and at no little expense to the Company. If it is deemed advisable to send a vessel along the Aleutian chain to secure strong, healthy male labourers, who are willing to come to these islands and make them their future homes, it should be done at once, under the supervision of a Treasury Agent familiar with the conditions of St. Paul and St. George Islands, accompanied by a resident physician from one of the islands.

On the 27th June the Alaska Commercial Company, through Dr. H. H. McIntyre, their General Manager, furnished me a boat manned and rigged, and I visited Otter Island and found 2,000 killable seals, and many were in the water near by. Under the present lease the lessees are not allowed to kill seals on this island. Consequently, they are not molested, without taken by pirates, which has been the result once or twice in the past. This island and Walrus should be included in the next lease. The number of resident labourers on this island at present is 52, aged from 63 to 13 years, classified as follows: clubbers, 6; stickers, 6; hipplers, 8; skimmers, 32. The number of labourers from Omulaska is 23; these men did general work, such as salting skins, booking, bandling, and delivering them to the warehouse ready for shipment. This entire work was formerly done by the natives, but of late years the native force became too small, compelling the Alaska Commercial Company to introduce labour from abroad. These men, however, are paid by the Alaska Commercial Company, and the natives receive the entire proceeds of the catch. The number of seals killed upon this island this season was 85,000, and sea-lions 25. The killing commenced on the 5th June, and ended on the 31st July. The natives realized 33,759 dol. 80 c. for the season's catch, which was distributed as per inclosed statement. On the 26th June the United States' man-of-war the "Thetis," Lieutenant-Commander Stockton, arrived from Sitka; also the United States' cutter the "Rush," Captain Shepard. The "Thetis" left the following day at noon for St. Michael's en route for Point Barrow, and the

"Rush" on the 28th June for a cruise through Behring Sea. On the 18th July Mr. Webster, the Alaska Commercial Company's agent at North-east Point, this island, sighted a schooner about 5 miles off the island. On the 25th July the United States' cutter the "Rush," Captain Shepard, again anchored at the East Landing, and informed me that he had seized the British schooners "Minnie" and "Black Diamond." The "Minnie" was seized on the 17th July, and had on board 418 seal-skins. The "Black Diamond" was seized on the 11th July, with 76 seal-skins aboard. He also informed me that there were no less than thirty schooners in Behring Sea with predatory intentions. If these piratical vessels are allowed to butcher the seals regardless of age and sex, the seals of Alaska will soon be exterminated. The prosperity of these world-renowned rookeries is fast fading away under the present annual catch allowed by law, and this indiscreet slaughter now being waged in these waters will only hasten the end of the fur-seals of the Pribyloff Islands. Captain Shepard is a faithful, conscientious, and energetic officer, and is deserving the loudest encomium from the Department; but without assistance it is impossible for him to police these waters effectually. In the retirement of Mr. J. P. Manchester the Department loses a fearless, faithful, and honourable officer; one who has, in the performance of his duties, reflected credit upon himself and honour to his Government. Captain A. P. Loud has also discharged his duties in a creditable manner, and retires from office leaving a record to be envied by his successor.

In conclusion, I desire to say that the Alaska Commercial Company have not only strictly conformed to the requirements of the lease during the present season, but have manifested a generous protectorate towards the natives.

Respectfully submitted.

(Signed)

CHARLES J. GOFF,
Treasury Agent.

18
20
22
25
28
32
36
40
45
50
56
63
71
80
90
100

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

Geographical Notes relating to the Names "Pacific Ocean," "Behring Sea," "North-eastern Ocean," "Eastern Ocean," to the meaning of the Expression "North-west Coast," and to the Depth of Behring Sea and its Connection with the Basin of the Pacific.

1.—ON THE USE OF THE NAMES "PACIFIC OCEAN" AND "BEHRING SEA."

United States' Case,
pp. 52, 53.

IN support of the special assertion that the Pacific Ocean did not include Behring Sea as shown by "a study of the Maps, Charts, and writings of navigators at the time of and prior to the celebration of these Treaties," it is stated in the United States' Case that "a list of these Maps and Charts is appended," from which it will be seen that geographers conferred upon Behring Sea "some separate name in most cases, either that of Sea of Kamtchatka, Behring Sea, North-Eastern Sea, or Eastern Ocean."

ibid., Appendix I.
p. 287.

It is submitted, however, that the list cannot properly be regarded as representing the usage of geographers, even on the narrow ground of the nomenclature of oceans, seas, &c., as printed on the Maps in question; for this list is, in reality, merely a selected series of such Maps as in respect to their marking correspond, in a negative sense (or in other words do not disagree), with the contention which it is wished by the United States to uphold.

Note on the
circumstances under
which Behring Sea
has come to be so
named.

Without entering into any great detail respecting the numerous voyages of discovery in this region, which, in the first instance, were principally due to Russian efforts from the Asiatic coast, it is comparatively easy to place on record the salient features of this branch of the subject; and to trace its progress, more particularly by means of the Maps published from time to time in illustration of the results of the various explorers.

The first published Map in which that part of the Asiatic coast, including Kamtchatka, and extending to and beyond Behring Straits, was represented, was that in illustration of Behring's first voyage, in 1737, in D'Anville's "Atlas." It is reproduced by Mr. W. H. Dall, in the "National Geographical Magazine," Washington, 1890. At this time neither the Commander Islands nor the Aleutian Islands were known, but the ocean to the east of the Asiatic coast is named *Partie de la Mer Orientale*, the name, as engraved on the Map, extending from a point to the west of the extremity of the Peninsula of Kamtchatka, in a north-easterly direction, to about the position which St. Matthew Island is now known to occupy, or to the centre of Behring Sea.

After Behring's second expedition, in which the Commander himself miserably perished, but in the course of which the American coast was reached, and the Commander and Aleutian Islands in part discovered, we find a Map published by Müller, the historian and geographer of the expedition. This is entitled, in the English translation of Müller's work, published in London in 1761, "A Map of the Discoveries made by the Russians on the North-west Coast of America," published by the Royal Academy of Sciences at St. Petersburg, and republished in London by Thomas Jeffreys.

In this Map the islands now known as the Aleutian Islands and the Commander Islands are indicated very inaccurately, and the greater part of what is now known as Behring Sea is occupied by a great conjectural promontory of the American Continent, leaving a comparatively narrow and sinuous body of water or strait running in a direction proximately parallel to the Asiatic coast, and separating the two continents. The southern portion of this is named on the Map *Sea of Kamtchatka*, the northern *Sea of Anadir*, in equivalent characters. Behring Strait, as now known, appears without name, while the wider ocean to the south is named *Great South Sea or Pacific Ocean*.

A reproduction on a smaller scale of the same Map appears in the "London Magazine" for 1764. This is entitled, "A new Map of the North-east Coast of Asia and North-west Coast of America, with the late Russian Discoveries." It repeats the nomenclature and all the errors of the original Map, but employs the term *Great South Sea* only, the addition "or Pacific Ocean" being omitted.

After the date of the publication of Cook's third voyage in 1784, what is now known as Behring Sea began to appear on Maps in something like its true form and proportions, and in the Map accompanying the official record of his voyages, of the date mentioned, we find that sea without special distinctive name, and simply regarded as a part of the Pacific Ocean, though the names *Olutoraki Sea*, *Beaver Sea*, and *Gulf of Anadir* are engraved in parts of it close to the Siberian shores, and *Shool Water* and *Bristol Bay* appear as local names of equivalent rank on the opposite American coast.

From this date onward the usage became very varied. Many Maps continued to appear till 1840 or later, upon which no name of a distinctive kind was given to Behring Sea, while upon others it

became customary to extend the originally local name *Sea of Kamchatka* to the whole of this body of water. Doubtless because of the ambiguity attaching to this particular name, from its originally strictly local use, at later dates it began to be customary to employ Behring's name for the sea now so called, till at the present time that name may be said to have entirely superseded the older one, and to have passed into common use.

Following on this change, the name *Sea of Kamchatka* was changed to *Gulf of Kamchatka*, and relegated to its original place on the shore of the peninsula of the same name, while the names *Otolowski* and *Anadyr* likewise became confined to the respective gulfs on the Siberian coast. For the most modern usage in this respect, see United States' Hydrographic Office Chart No. 68, 1890, and British Admiralty Chart No. 2460, 1889.

It is very noteworthy, however, in studying any series of Maps chronologically arranged, that up to the middle of the present century Behring Sea is frequently without any general name, while the adjoining Sea of Okhotsk is in almost every instance clearly designated.

Had the circumstances with respect to the nomenclature of Behring Sea been different, and had that body of water been consistently supplied with a distinctive name on all Maps, it would, however, by no means necessarily follow that this was intended to show that it was not a part of the Pacific Ocean. An ocean may, and in all cases actually does, include numerous seas and gulfs as subordinate divisions. The mere fact that the name of the North Pacific Ocean, or equivalent name in use at different periods, is not usually engraved partly upon the area of Behring Sea in the Maps, affords no valid argument for such separation. The name of this ocean is generally found to be engraved, in large characters, upon its widest and most open part, somewhere to the south of the 50th parallel, and between that parallel and the Equator. This usage follows as a result of the actual form of the ocean, and the necessity of giving due prominence to its name.

The United States' Government has, in this controversy, attached importance to the very early employment of some distinctive name for Behring Sea, and reference has been made to several of the older Maps.

It is, however, submitted that even in restricting the argument to Maps, the important question is that relating to the Maps and Charts of the years immediately antecedent to 1824 and 1825, in which years the Conventions dealing with the Ukase of 1821 were concluded.

To such Maps the negotiators doubtless referred.

Reverting, however, to the earlier Maps specially instanced by the United States' Government, it will be found that even these do not bear out the assertions based by Mr. Blaine upon them.

A Map illustrating Cook's voyages, and published in 1784, is first referred to as showing the "*Sea of Kamchatka*" in "absolute contradistinction to the *Great South Sea* or Pacific Ocean."

This is doubtless the Map published by William Faden in 1784, and included in the list attached to Mr. Blaine's note.

In this Map the name *Sea of Kamchatka* is written across Behring Sea, and *Gulf of Anadyr* is the term applied to the indentation of the coast into which the river of the same name flows.

The special value attached to this Map by Mr. Blaine, in support of his contention, entirely disappears when the second edition issued ten years later is inspected, and special attention is directed to the detailed description of this latter Map at p. 94 of this Appendix.

It will be seen that the second edition bears the same title as the first, with the addition of a face-note indicating that numerous improvements have been inserted. One of these improvements is the transfer of the name *Sea of Kamchatka* to the waters immediately adjacent to the coast of that peninsula, leaving the main body of Behring Sea without any distinctive name. As the natural consequence of this change, *Sea of Anadyr* appears instead of *Gulf of Anadyr*.

Turning to the Maps in the officially published account of Cook's third voyage, likewise dated in 1784, both those in the quarto and octavo editions, and those also in French and German translations of somewhat later date, it is found that Behring Sea appears absolutely and markedly without any distinctive name.

The Map published in the "London Magazine" in 1764, which is next cited, is a reduction of Müller's Map, which has already been referred to.

The circumstances under which the names *Sea of Kamchatka* and *Sea of Anadyr* appear on these Maps have been noted on a previous page, and are such as to show that neither of them can be justly referred to as applying to the area of Behring Sea as now known.

In further endeavouring to maintain his position as to the essential separateness of Behring Sea from the Pacific Ocean, as understood by geographers of the time, Mr. Blaine adds an enumeration of a number of Maps as "Inclosure B" to his letter above referred to.

He refers to these Maps in the following terms:—

"I inclose a list of a large proportion of the most authentic Maps published during the ninety years prior to 1825 in Great Britain, in the United States, the Netherlands, France, Spain, Germany, Russia—in all 106 Maps—on every one of which the body of water now known as Behring's Sea was plainly distinguished by a name separate from the Pacific Ocean. On the great majority it is named the Sea of Kamchatka, a few use the name of Behring while several other designations are used. The whole number, aggregating, as they did, the opinion of a large part of the civilized world, distinguished the sea, no matter under what name, as altogether separate from the Pacific Ocean."

It has so far only been found possible to identify a small number of these Maps, but on about half of these the distinguishing names "*Sea of Kamchatka*" and "*Sea of Anadyr*" are placed either on the coast of Kamchatka or in the Gulf of Anadyr respectively, and no name whatever appears as a general name for "the body of water now known as Behring Sea."

On the other Maps examined, when the name *Sea of Kamchatka* is placed so as to include the whole of Behring Sea, it is in every case printed in the same characters of equivalent importance to those employed for the name of the Sea of Okotsk.

Maps specially referred to by Mr. Blaine in his note of December 17, 1890. United States' Case, Appendix, vol. i. p. 387.

No. 15 in List, p. 94.

United States' Case, No. 1 (1891), p. 39.

Maps catalogued in
"Inclosure (B)."
Mr. Blaine to Sir J.
Pauselotte, December
17, 1890.

This list of 105 Maps, though apparently formidable from its very length, is found to extend from the year 1743 to the year 1829, both inclusive, and consists solely of Maps upon which a special designation of some kind is supposed to be found for Behring Sea.

As already stated, this proves nothing with regard to the relation of Behring Sea to the Pacific as a whole; while it is further observable that, in compiling the list, many Maps of very doubtful or imperfect character have been included with others of undoubted authenticity and value.

Thus, in respect to Cook's explorations, but a single Map is cited, while the official and original Maps are ignored, as has already been explained.

Again, from Thompson's large Atlas, of date 1817, but a single Map is cited, and this without such reference as to enable it to be identified; while, as a matter of fact, in this Atlas, Behring Sea appears upon three Maps as the *Sea of Kamtschatka*. On three other Maps this name is evidently confined to the waters immediately adjacent to the peninsula of the same name, and on two, the greater part of Behring Sea is included without any name.

Under date 1819, a Map by Burney is quoted as showing the name *Sea of Kamtschatka* applied to Behring Sea, but the only Map by that author of that date which it has been possible to find is a "Chart of the north coast of Asia and of the Sea to the north of Behring Strait," in which the greater part of Behring Sea is included, but without name, though the northern portion of the Sea of Okhotsk, also included, is prominently named.

Still, again, under 1825, a Map in Butler's Atlas (doubtless No. 16) is quoted as showing the name *Sea of Kamtschatka*, while the first Map in that Atlas upon which Behring Sea appears without name (though the *Sea of Okhotsk* and other similar seas are named) is ignored.

The following are definitions found in the gazetteers, dictionaries, and geographies of the world, both of the present and old dates, touching the Pacific Ocean, Behring Sea, Kamtschatka, &c., which show that Behring Sea has been from the year 1795 down to the present regarded as part of the Pacific Ocean.

Malmgren's "Naval
Gazetteer," London,
1795, vol. II, p. 4.
Ibid., vol. I, p. 42.

Brookes R., "General
Gazetteer," 1802.

Montefiore, "Com-
mercial Dictionary,"
1803.

"Geographical
Dictionary," London,
1804.

Croftwell, C., "New
Universal Gazetteer,"
1808.

Magnall, R.,
"Compendium of
Geography," 1815.

Rees' "Cyclopædia,"
London, 1819.

Galletti, J. G. A.,
"Geographisches
Wörterbuch," Penth,
1822.

"Edinburgh Gazet-
teer," edition 1822,
vol. I, p. 432.

"General Gazetteer,"
London, 1828.

"New London
Universal Gazetteer,"
1828.

"Edinburgh Gazet-
teer," London, 1827,
vol. I, p. 432.

"Kamschatka Sea is a large branch of the Oriental or North Pacific Ocean."

"Beering's Straits, which is the passage from the North Pacific Ocean to the Arctic Sea."

"Beering's Island. An island in the Pacific Ocean. [Behring's Island is in Behring's Sea.]

"Kamschatka. Bounded east and south by Pacific."

"Kamschatka. Bounded on the north by the country of the Korias, on the east and south by the North Pacific Ocean, and on the west by the Sea of Okhotsk."

"Beering's Island. In the North Pacific Ocean."

"Beering's Island. An island in the North Pacific Ocean.

"Kamtschatka. River, which runs into the North Pacific Ocean.

"Kamtschatka. Peninsula, bounded on the east and south by the North Pacific Ocean."

"Islands in the Eastern or Great Pacific Ocean; Bhering's Isle."

Behring Sea not mentioned.

"Pacific Ocean" considered as the boundary of the Russian Empire, washes the shores of the Government of Irkutsk, from Tschukotskoy Ness, or Cook's Straits, to the frontiers of China; or, in other words, from the mouth of the River Aimakan, that is, from 65° to 45° north latitude. It is divided into two great parts. That lying eastwards from Kamtschatka, between Siberia and America, is eminently styled the Eastern, or Pacific, Ocean; that on the west side, from Kamtschatka, between Siberia, the Chinese, Mongolia, and the Kurile Island, is called the Sea of Okhotsk. From the different places it touches it assumes different names, e.g., from the place where the River Aradyr falls into it, it is called the Sea of Anadyr, and above Kamtschatka the Sea of Kamtschatka; and the bay between the districts of Okhotsk and Kamtschatka, is called the Sea of Okhotsk, the upper part of which is termed Penjinskoye More, that is, the Penjinskian Sea, as it approaches the mouth of the River Penjine."

"Stilles Meer. Vom 5 nordl. Br. an bis zur Beringstrasse aufwärts stets heftige Stürme."
[Behring's Strait is at the northern extremity of Behring's Sea.]

"Behring's Island. An island in the North Pacific Ocean."

"Beering's Island. In the North Pacific Ocean."

"Beering's Island. In the Pacific."

"Kamtschatka (Peninsula). On the east it has the North Pacific Ocean, and on the west that large gulf of it called the Sea of Okhotsk."

"Mer Pacifique. Il s'étend du nord au sud depuis le Cercle Polaire Arctique, c'est-à-dire, depuis le Détroit de Behring, qui le fait communiquer à l'Océan Glacial Austral."

"Stilles Meer. Vom 30 südlicher Breite bis zum 5 nördlicher Breite verdient es durch seine Heiterkeit und Stille den namen des Stillen Meers; von da an bis zur Berjngstrasse ist es heftigen Stürmen unterworfen."

"Behring's Island. In the North Pacific Ocean."

"Behring's Strait connects the Frozen Ocean with the Pacific."

"The Anadir flows into the Pacific Ocean."

"The principal gulfs of Asiatic Russia are: the Gulf of Anadir, near Behring's Strait; the Sea of Penjina, and the Gulf of Okhot-k, between Kamtchatka and the mainland of Russia—all three in the Pacific Ocean."

"L'Océan Pacifique Boréal s'étend depuis le Détroit de Behring jusqu'au tropique de Cancer."

"Le Détroit de Behring. A commencer par ce détroit, le Grand Océan (ou Océan Pacifique) forme la limite orientale de l'Asie."

"Behring (détroit célèbre). Il joint l'Océan Glacial Arctique au Grand Océan."

"The Pacific Ocean. Its boundary-line is pretty well determined by the adjacent continents, which approach one another towards the north, and at Behring's Strait, which separates them, are only about 36 miles apart. This strait may be considered as closing the Pacific on the north."

"Behring (Détroit de), à l'extrémité nord-est de l'Asie, sépare Continent de l'Amérique et l'Océan Glacial Arctique de l'Océan Pacifique."

"Behring (Mer de). Partie de l'Océan Pacifique."

"Behring Strait. The channel which connects the North Pacific with the Arctic Oceans."

"Behring (Détroit de). Canal de l'océan . . . unissant les eaux de l'Océan Pacifique à celles de l'Océan Arctique."

"Pacific Ocean. Between longitude 76° west and 110° east, that is, for a space of over 180°, it covers the greater part of the earth's surface, from Behring Straits to the Polar Circle, that separates it from the Antarctic Ocean."

"Behring Island is situated in the North Pacific."

"Kamtchatka, a peninsula projecting from the north-eastern part of Asia into the Pacific Ocean."

"Behring (Détroit de). Canal du Grand Océan unissant les eaux de l'Océan Pacifique à celles de l'Océan Glacial Arctique."

"Behring Sea, sometimes called the Sea of Kamtchatka, is that portion of the North Pacific Ocean lying between the Aleutian Islands and Behring's Strait."

"Behring Strait, the channel which separates Asia and America at their nearest approach to each other, and connects the Arctic with the Pacific Ocean."

"Russian America comprises the whole of the continent of North-west America west of longitude 141° west and a strip on the coast extending south to latitude 55° north, bounded on the east by British America, south and west by the Pacific Ocean, and north by the Arctic Ocean and the following island groups, &c."

"Behring's Island. An island in the North Pacific Ocean."

"Behring's Strait, which connects the Pacific with the Arctic Ocean, is formed by the approach of the continents of America and Asia."

"Pacific Ocean. Its extreme southern limit is the Antarctic Circle, from which it stretches northward through 132° degrees of latitude to Behring's Strait, which separate [sic] it from the Arctic Ocean."

"Behring (Détroit de). Canal ou bras de mer unissant les eaux de l'Océan Glacial Arctique à celles de l'Océan Pacifique."

"Dictionnaire Géographique Universel," 1828.

Seitz, Dr. J. C., "Geographisches Statistisches Handwörterbuch," Pests, 1822, Halberstadt, 1829.

"Penny National Library Geography and Gazetteer," 1830. Arrowsmith, "Grammar of Modern Geography," 1832.

"Précis de la Géographie Universelle," par Malte-Brun, vol. ii, p. 181, édition 1835.

Ditto, vol. viii, p. 4.

Langlois, "Dictionnaire de Géographie," 1828.

"Penny Cyclopædia," 1840.

"Dictionnaire Universel d'Histoire et de Géographie," par M. N. Bouillet, Paris, 1842.

McCulloch, J. B., "Geographical Dictionary," London, 1840.

"Dictionnaire Géographique et Statistique," par Adrien Guilbert, Paris, 1850.

"The New American Cyclopædia," edited by George Ripley and Charles A. Dana, New York, 1861.

"English Cyclopædia," London, 1854-63. Geography, vol. i, p. 967.

Ibid., vol. ii, p. 854.

"Grand Dictionnaire de Géographie Universelle," par M. Bescherelle, Ains, 4 vols., 1856.

"Imperial Gazetteer," 1845.

Harper's "Statistical Gazetteer of the World," by J. Calvin Smith, New York, 1855.

Fullarton's "Gazetteer of the World," 1858.

"Cyclopædia of Geography," by Chas. Knight, 1859.

McCulloch's "Geographical Dictionary," edited by F. Marian, 1866.

"Grand Dictionnaire Universel," par M. Pierre Larousse, Paris, 1867.

Beuillet "Dictionnaire Universel d'Histoire et de Géographie," Paris, 1871.

Blackie's "Imperial Gazetteer," London, 1874, vol. i, p. 289. Ibid.

Ibid., vol. ii, p. 558.

"American Cyclopaedia," New York, 1876, vol. i, p. 490. Ibid., p. 491.

"Encyclopedia Britannica," ninth edition, Edinburgh, 1875-90, vol. iii, p. 509. Ibid.

Ibid., vol. xviii, p. 115.

Johnston, H. K., "Gazetteer," London, 1877, p. 148. Ibid., p. 47.

Johnston's "Dictionary of Geography," London, 1877. Ibid.

St. Martin's "Nouveau Dictionnaire de Géographie Universelle," tome i, Paris, 1879.

Lippincott's "Gazetteer of the World," Philadelphia, 1869.

Ibid.

Ibid.

"Pacifique (l'Océan) dit aussi le Grand Océan . . . communique au nord par le Détroit de Behring avec l'Océan Glacial Arctique."

"Behring Strait . . . which connects the N. Pacific with the Arctic Ocean. . . ."

"Kamtschatka, ou de Behring (Mer de). Partie de l'Océan Pacifique."

"Boreal or N., extending from Behring's Strait or the Arctic Circle to the Tropic of Cancer. . . . In the N. the Pacific gradually contracts in width; the continents of America and Asia stretching out and approximating, so as to leave the comparatively narrow channel of Behring's Strait as the only communication between the Pacific and the Arctic Oceans. Between the strait on the N., the Aleutian Islands on the S., and the remarkable peninsulas of Alaska on the E. and Kamtschatka on the W., one of the largest and best defined branches of the Pacific is the Sea of Behring."

"Behring Sea. That part of the Pacific Ocean which lies immediately south of Behring Strait."

"Behring Strait. A channel connecting the North Pacific and Arctic Oceans."

"Behring's Island, the most westerly of the Aleutian group in the North Pacific, in 55° 22' N. latitude, 166° E longitude. It is rocky and desolate, and is only remarkable as being the place where the navigator Behring was wrecked and died in 1741. Population 2,500."

"Behring Strait, the narrow sea between the north-east part of Asia and the north-west part of North America, connecting the North Pacific with the Arctic Ocean."

"Extent.—The Pacific Ocean (*formerly called the South Sea, and sometimes still so named by the French and Germans (la Mer Sud; Sudsee, Australocean), with whom, however, la Mer (l'Océan) Pacifique, and Grosser Ocean, or Stilles Meer, are the more usual designations) is bounded on the north by Behring Strait and the coasts of Russia and Alaska; on the east by the west coasts of North and South America; on the south the imaginary line of the Antarctic Circle divides it from the Antarctic Ocean, while its westerly boundary is the east coast of Australia, the Malay Archipelago separating it from the Indian Ocean, and the eastern coasts of the Chinese Empire. Some modern geographers place the southern limit of the Atlantic, Pacific, and Indian Oceans at the 40th parallel, and name the body of water which surrounds the earth between that latitude and the Antarctic Circle the Southern Ocean.

"Although differing from the Atlantic in its general form, being more nearly land-locked to the north, the Pacific Ocean resembles it in being open to the south, forming, in fact, a great projection northwards of that vast Southern Ocean of which the Atlantic is another arm.

"The Pacific is the largest expanse of water in the world, covering more than a quarter of its superficies, and comprising fully one-half of its water surface.

"It extends through 132 degrees of latitude, in other words, it measures 9,000 miles from north to south. From east to west its breadth varies from about 40 miles at Behring Strait where Asia and America come within sight of each other, to 8,500 miles from California and China on the Tropic of Cancer, and to more than 10,000 miles on the Equator, between Quito and the Moluccas, where the ocean is the widest. The area has been variously estimated at from 50,000,000 to 100,000,000 square miles; but, defining its boundaries as above, Keith Johnston, from careful measurements, estimated it, with probably a near approach to the truth, at 67,810,000 square miles."

"Behring Sea. That part of the North Pacific Ocean between the Aleutian Islands in 50° and Behring Strait in 66° N., by which latter it communicates with the Arctic Ocean (Behring Sea)."

"Anadyr River. Falls into an inlet of the Sea of Anadyr (North Pacific)."

"Extending from the Arctic to the Antarctic Circle, through 126° of latitude."

". . . . It narrows especially towards the north, where it communicates with the Arctic Ocean by Behring Strait."

"Behring (Détroit de). Passage qui unit l'Océan Glacial Arctique au Grand Océan."

"Behring Sea, or Sea of Kamtschatka, is that part of the North Pacific Ocean between the Aleutian Islands in latitude 55° north and Behring Strait in latitude 66° north, by which latter it communicates with the Arctic Ocean."

"Behring Strait. The channel which separates Asia and America . . . and connects the Arctic with the Pacific Ocean."

"Pacific Ocean . . . extends from the Arctic to the Antarctic Circle, over 133 degrees latitude."

"Behring. or Bhering. A strait sea, island, and bay, North Pacific Ocean."

"Bering's Meer. Der nordöstlichste Teil des Stillen Ocean's."

"Beringstrasse. Meerenge das nordöstlichste Eismeer mit dem Stillen Ocean verbindend."

"Behring Sea is that part of the North Pacific Ocean between the Aleutian Islands . . . and Behring Strait."

"Behring Sea, or Sea of Kamchatka, is that part of the North Pacific Ocean between the Aleutian Islands, in latitude 55° north, and Behring Strait, in latitude 66° north, by which latter it communicates with the Arctic Ocean."

"Behring Sea. A part of the Pacific Ocean N. of the Aleutian Islands."

"Behring's Sea. North-east part of the Pacific between Asia and America."

"Behring Strait connects the Pacific with the Arctic Ocean."

"Behring Sea. A part of the Pacific Ocean, commonly known as the Sea of Kamchatka."

"Behring's Strait, connecting the North Pacific with the Arctic Ocean."

"Behring's Sea, sometimes called the Sea of Kamchatka, is that portion of the North Pacific Ocean lying between the Aleutian Islands and Behring's Strait."

The following letter, addressed to Mr. Robert Rayner by Professor Alexander Supan, and published by Mr. Rayner in an article by him on the Behring Sea question in the New York "Evening Post," of the 11th March, 1891, is of particular interest as embodying the opinion of one of the most eminent geographical authorities of the day on the subject of the relations of Behring Sea to the Pacific:—

"Justus Perthes' Geographical Institute, Editorial Rooms,

"Office of Petermann's Communications.

"Gotha, November 10, 1887.

"(Translation.)

"Honoured Sir,

"In answer to your honoured letter of the 24th October, I beg to make the following remarks:—

"Behring's Sea is considered by all geographers as a part of the Pacific Ocean, and there cannot be [the] least doubt with regard to this, [from] however different principles of division one may start.

"Behring's Strait is the natural topographical boundary of two great sea basins, the Pacific and the Arctic, and this all the more, as it nearly coincides with the northern Polar Circle. In addition, there is the consideration that sea arms shut off by chains of islands are just one of the characteristic marks of the western part of the Pacific Ocean. As little as one can detach the Sea of Okhotsk or the Sea of Japan from the Pacific Ocean, just so little can one consider Behring's Sea as independent. A comparison with such inland waters as Delaware Bay or the Sea of Azov appears entirely inadmissible.

"It is, however, [certainly] a different question how [what] the Treaty Powers thought on this point in 1824. Up to the year 1845 there was great [much] caprice and divergence in the division and appellation of the great seas. However, the wording of the Treaty of 1824 shows that one was already acquainted with the division of Buache (1752), for he was the first one to introduce the name Great Ocean. In this division Behring Sea belonged to the 'Mer Septentrionale du Grand Océan,' Forster, the celebrated companion of Cook, also is beyond doubt in this regard (see [his] collected writings, vol. iv, p. 9, ff.).

"It must be noted that in Fleurien's time (year eight of the first French Republic) the two ice seas (Arctic and Antarctic) were not yet separated [were not yet looked upon as separated] from the other three oceans. When Fleurien introduced this separation he took the Polar Circles as boundaries, and to this the British Commission of 1845 also acceded, as is well known. Consequently, here also Behring's Sea appears as part of the Pacific Ocean.

"Hoping that these remarks will be sufficient for you, I remain, &c.,

(Signed) "PROF. DR. ALEX. SUPAN,

Editor of Petermann's Communications.

"Mr. Robert Rayner,

"Salem, Massachusetts."

In reply to a request sent by Dr. George M. Dawson to Professor Supan for a copy of the above [117]

2 B

Bryce and Johnston, "Cyclopedia of Geography," London and Glasgow, 1886.

Brockhaus' "Conversations Lexicon," Leipzig, 1882.

Ritter's "Geographisch Statistisches Lexicon," Leipzig, 1888.

"Gazetteer of the World," London, 1885, vol. 1, p. 199.

"The Gazetteer of the World," Thomas Jock, London, 1885.

Worcester's "Dictionary of the English Language," Philadelphia, 1897.

"Pocket Encyclopedia," Sampson Low, 1888.

Chambers' "Encyclopedia," 1889.

Black's "Modern Encyclopedia," 1889 edition.

letter, as originally written in German, that gentleman has been so kind as to write further, as follows:—

"(Translation.)

"Most honoured Sir,

"*Justus Perthes' Geographical Institute,*
"Gotha, July 15, 1892

"Unfortunately, I do not possess a copy of my letter to Mr. Rayner, but the translation appears to me to be, on the whole, correct. Rayner asked me what was my opinion on the question from a geographical point of view, and my reply falls under two heads:—

"1. The present geographers collectively, so far as I know, consider Behring Sea as part of the Pacific Ocean, and from whatever point of view the question is considered the conclusion always arrived at is that Behring Sea is an annex of the Pacific.

"2. This view, moreover, also generally prevailed as early as 1824, as the two earliest attempts at classification agree in it. What view was held by the Governments of the day is, however, questionable, as there are enough instances to show that Governments trouble themselves but little with science.

"With the highest consideration, I remain, &c.

(Signed) "ALEX. SUPAN.

Notes on various Maps examined in connection with the question of usage of the names "Pacific Ocean," "Behring Sea," &c.

An examination of all the Maps upon which the sea now called Behring Sea appears prominently, between about 1815 and 1825 (both inclusive), which could be found in the Map Department of the British Museum Library, has been made; also of some which appear in books of travel, &c., in the Printed Book Department. A few Maps found elsewhere have also been included.

For dates previous to 1815, and subsequent to 1825, a selection only of the more important Maps has been consulted. Such selection was made by reference to the Catalogue titles of the Maps, and the results of the examination of each such Map are here noted, irrespective of the bearing which these may be supposed to have on the question at issue. The list as a whole therefore differs from that given as an Appendix to Mr. Blaine's despatch of the 17th December, 1890 (which was compiled for the purpose of making out a specified contention), and, so far as it goes, may be accepted as a general indication of the best usage in vogue at and about the time of the Convention of 1824 and 1825. The names printed in *italics* are in each case exact transcripts of those appearing on the Map.

No Maps of a date earlier than that of the publication of Cook's third voyage, in 1784, have been included in the list; but all Maps relating to Cook's voyage, and which include the area of Behring Sea, have been sought for, as Mr. Blaine, in his despatch above cited, appears to place special importance on one of them. This particular Map, published by William Faden, has been dealt with above at p. 87 of this Appendix, and none of the other original or official Maps relating to Cook's expedition agree with it in naming Behring Sea (as Sea of Kamtschatka or otherwise) as separate from the North Pacific. On the contrary, none of these Maps, whether in the English editions or in the French or German editions of Cook's voyages, give any distinctive name to Behring Sea as a whole. The only other Map relating to Cook's expedition upon which such separate name has so far been found is one taken from "Guthrie's Atlas" in which Behring Sea is named *Sea of Kamtschatka*. This is without date, but the "assigned date" in the Catalogue of the British Museum Library is 1811.

No. 45 in List.

1784.

1. A GENERAL CHART, EXHIBITING THE DISCOVERIES MADE BY CAPTAIN JAMES COOK, &c. BY LIEUTENANT HENRY ROBERTS, OF HIS MAJESTY'S ROYAL NAVY. In Cook's "Third Voyage," 4to. edition. London, 1784. Folio volume of Maps and Plates accompanying text.

This is the original of the Chart in the 8vo. edition. Behring Sea appears without names, though *Olutarskoi Sea*, *Beaver Sea*, *Gulf of Anadir*, *Shoal Water*, *Bristol Bay*, appear as local names of equal rank. The three first close in to the Asiatic coast.

Behring's Strait. *North Pacific Ocean*.

. 1784.

2. CHART OF THE N. W. COAST OF AMERICA AND THE N. E. COAST OF ASIA. In same original 4to. edition.

Behring Sea without name, though occupying a central position, and shown in detail.

Bristol Bay is the most prominent name on the whole of this part of the Chart.

Anadirsk Guba appears in small letters in the gulf itself. Other names appearing in the General Map are here wanting.

Bherings Strait. No name on part of North Pacific included.

3. A GENERAL CHART, EXHIBITING DISCOVERIES MADE BY COOK, BY LIEUTENANT ROBERTS, 1784. 1784.
Behring Sea without general names. *Beaver Sea* and *Olutarskoi Sea*, engraved close in to shore of Kamchatka, *Gulf of Anadir* and *Bristol Bay* prominently named.
Behring's Straits. *North Pacific Ocean*.
-
4. CHART OF THE N. W. COAST OF AMERICA AND THE N. E. COAST OF ASIA. EXPLORED IN THE YEARS 1778 AND 1779. PREPARED BY LIEUT. ROBERTS UNDER THE IMMEDIATE INSPECTION OF CAPTAIN COOK. PUBLISHED BY W. FADEN, CHANCING CROSS, JULY 24, 1784. 1784.
Behring Sea named *Sea of Kamchatka*.
Beaver Sea close in to shore of Kamchatka.
Sea of Okotsk equivalent in rank to *Sea of Kamchatka*.
Gulf of Anadyr, *Bristol Bay*.
Northern Part of Pacific or Great South Sea.
The Aleutian Islands are very imperfectly shown.
-
5. A GENERAL CHART, EXHIBITING THE DISCOVERIES MADE BY CAPTAIN JAMES COOK, &c. In "A Voyage to the Pacific Ocean, &c.; Cook." 27 vols. 8vo. London, 1784. 1784
The Chart included in the British Museum copy of this work appears to have been inserted, and bears date on margin as engraved for 8vo. edition in 1786. Roberts' name is not here given as authority.
Behring Sea without name.
Behring's Str. *North Pacific Ocean*.
On this edition of Map, *Olutarskoi Sea*, *Gulf of Anadir*, *Shoal Water*, *Bristol Bay*, appear as local names of equal rank, but "Beaver Sea," shown on some other Maps of Cook's Voyages, is omitted.
-
6. A GENERAL CHART, EXHIBITING THE DISCOVERIES MADE BY CAPTAIN JAMES COOK, &c. In Cook's "Third Voyage," 2nd edition. London, 1785. 4to. 1785.
This seems to be identical with that in the 1st edition (No. 1). Behring Sea appears without name. Subsidiary names in Behring Sea, &c., same as in 1st edition.
-
7. CHART OF THE N. W. COAST OF AMERICA AND N. E. COAST OF ASIA. In "Cook's Voyage," 2nd edition. Identical with corresponding Map in 1st edition (No. 2).
-
8. CARTE GÉNÉRALE OFFRANT LES DÉCOUVERTES, &c., PAR A. ROBERTS, &c. In "Troisième Voyage de Cook." Paris, 1785. 4to. 1785.
Behring Sea appears, but without name, though various parts are named as follows: *M. Beaver*, *M. Olutarski*, *Golfe d'Anadir*, *Bas Fonds*, *Bays Bristol*. These are all engraved in characters of equivalent size and style.
Dét. de Behringa. *Océan Pacifique du Nord*.
-
9. A GENERAL CHART EXHIBITING DISCOVERIES MADE BY CAPTAIN COOK, &c. Same Map as last. Another edition. From the "Political Magazine," December 1784 and January 1785. Nomenclature same as above. 1785.
-
10. CARTE DE LA CÔTE N.-O. DE L'AMÉRIQUE, ET DE LA CÔTE N.-E. DE L'ASIE." In "Troisième Voyage de Cook." Paris, 1785. 4to. 1785.
Behring Sea occupies a central position, but without name.
Détroit de Behring. No name on that part of Pacific to south of Aleutian Islands, which is included.
-
11. GENERAL CHARTS, &c., IN COOK'S "DREITE REISE." 2 vols. 4to. Berlin, 1788. 1788.
Behring Sea without name.

Beaver See, Olutarskische See, Meerbusen von Anadir, appear as subsidiary names close to Asiatic coast.

Seicht Wasser, Bristol Bay, similarly on American coast.

Behrings Strasse. Das Nordliche Stille Welt Meer.

12. CHARTE VON DER NORD-WESTLICHEN KÜSTE VON AMERICA UND DER NORD-ÖSTLICHEN KÜSTE VON ASIEN, in Cook's "Dritte Reise."

Behring Sea all included, but without name.

Behrings Strasse. Meer von Ochotsk partly shown and prominently named.

No name on part of Pacific included south of Aleutian Islands.

1790

13. A CHART OF THE NORTHERN PACIFIC OCEAN, CONTAINING THE N. E. COAST OF ASIA AND N. W. COAST OF AMERICA, EXPLORED IN 1778 AND 1779 BY CAPTAIN COOK, AND FURTHER EXPLORED IN 1788 AND 1789 BY JOHN MEARES. In "Meares' Voyage." 4to. edition. London, 1790.

Behring Sea is shown as *Sea of Kamtschatka*.

Behring's Straits.

North Pacific Ocean

1790.

14. CHART OF THE N. W. COAST AMERICA AND N. E. COAST OF ASIA, EXPLORED IN THE YEARS 1778 AND 1779 BY CAPTAIN COOK, AND FURTHER EXPLORED IN THE YEARS 1788 AND 1789. In "Meares' Voyage," 4to. edition. London, 1790.

Behring Sea is shown as *Sea of Kamtschatka*.

Behring's Straits.

The Northern Pacific Ocean.

1794.

15. CHART OF THE N. W. COAST OF AMERICA AND THE N. E. COAST OF ASIA, EXPLORED IN THE YEARS 1778 AND 1779. PREPARED BY LIEUT. HENRY ROBERTS UNDER THE IMMEDIATE INSPECTION OF CAPTAIN COOK. LONDON, PUBLISHED BY WM. FADEN, GEOGRAPHER TO THE KING, CHURING CROSS, JULY 24, 1784. 2ND EDITION. PUBLISHED JAN. 1st, 1794.

This is the 2nd edition of the Map described above (No. 4). On the face of it the following note is written:—

"ADVERTISEMENT.—The interesting discoveries made by British and American ships since the first publication of the Chart in 1784, together with the hydrographical materials lately procured from St. Petersburg and other places, have enabled M. de la Rochette to lay down the numerous improvements which appear in the present edition.

"*Churing Cross, Jan. 1st, 1794.*

"W. FADEN."

The main body of Behring Sea, which in the 1st edition was styled *Sea of Kamtschatka*, here appears without any distinctive name.

Sea of Kamtschatka is written on the waters immediately adjacent to the peninsula.

Sea of Anadir replaces the *Gulf of Anadir* of the 1st edition.

Sea of Okhotsk appears as a name of equal rank with *Sea of Kamtschatka* and *Sea of Anadir*.

Beaver Sea is written in smaller characters along the Kamtschatkan coast to the north of Petropaulovski.

Bhering Strait, Bristol Bay.

North Part of the Pacific Ocean or Great South Sea.

The Aleutian Islands are much more correctly given than in the 1st edition, and *North-West Sea* is the term applied to what is now known as Sitka Bight.

1795.

16. MAP OF DISCOVERIES BY CAPTAINS COOK AND CLERKE ON NORTH-WEST COAST OF AMERICA. In M. Carey's American Atlas. Philadelphia, 1795.

Behring Sea appears without a distinctive name, though it is very inaccurately represented as full of islands, across which the title *Northern Archipelago* is written.

Sea of Okotsk prominently marked.

Gulf of Anadyr, Bristol Bay, North Pacific Ocean.

17. HYDROGRAPHIE FRANÇAISE. MAPPE-MONDE OU CARTE RÉDUITE DES PARTIES CONNUES DU GLOBE, POUR SERVIR AU VOYAGE DE LA PÉROUSE, 1785-88. No date. Probably about 1798 or before, as Vancouver's surveys not included. From "Atlas du Voyage." La Pérouse. No. 1. 1798.
Behring Sea not named, though *Mer d'Ochotsk*, &c., named.
Behring Strait named *Dét. de Behring*.
Pacific Ocean named *Grand Océan*.
-
18. HYDROGRAPHIE FRANÇAISE. CARTE DES CÔTES DE L'AMÉRIQUE ET DE L'ASIE. From discoveries by French frigates "Boussole" and "Astrolabe." No date. Probably about 1798 or before, as Vancouver's surveys not included. From "Atlas du Voyage." La Pérouse. No. 15. 1798.
Behring Sea not named on this large-scale Chart.
Behring Strait named *Dét. de Behring*.
North Pacific named *Grand Océan Septentrional*.
-
19. CHART OF THE PACIFIC OCEAN NORTH OF THE LINE. Laurie and Whittle. London, 1799. 1799.
Behring Sea named *Sea of Kamtschatka*.
North Pacific Ocean appears.
-
20. MAP SHOWING THE RUSSIAN EMPIRE IN "View of the Russian Empire." Took. London, 1800. 3 vols. 8vo. 1800.
Whole of Behring Sea included, but without separate name; on the contrary, the North Pacific is named as a whole *Eastern Ocean*, the first word lying to the north, the second to the south, of the Aleutian Islands. *Eastern Ocean* is used in the same general sense in the text.
Sea of Okhotsk distinctly named.
Behring's Straits.
-
21. 22. RUSSIAN ATLAS, CONSISTING OF 43 SHEETS, AND DIVIDING THE EMPIRE INTO 41 GOVERNMENTS. Published in 1800. 1800.
Two Maps, one of E. Siberia and Russian America, the other a large Map of the whole Russian Empire. Names shown in the same way on both.
Behring Sea without separate name.
Kamtschatka Sea off coast of peninsula.
Okotsk Sea prominently marked.
Anadyr Sea of same rank as two above.
Behring Strait, *Bristol Bay*.
Pacific Ocean.
-
23. CARTE GÉNÉRALE DE L'EMPIRE DE RUSSIE DIVISÉE EN 41 GOUVERNEMENTS. Rédigée en 1800 par A. Vilbrecht. 1800.
Names given in same manner as No. 19.
-
24. MAP PUBLISHED BY THE QUARTERMASTER-GENERAL'S DEPARTMENT. Russia, 1802. 1802.
This Map, a *fac-simile* of which is attached to the British Case, is really a Chart showing the Asiatic and American coasts and the whole of Behring Sea.
The copy in possession of Her Majesty's Government is the identical one sent by Sir C. Bagot, 17th November, 1821, in his despatch of that date, and with MS. notes upon it.
Behring Sea is named, in large letters running from west to east, *Beaver Sea*.
Kamtschatka Sea, in smaller letters, runs parallel to coast of peninsula of same name, and inside the Commander Islands.
North Pacific is named *Southern Ocean* or *Still Sea*.
BEHRING STRAIT.
-
25. CHART OF THE STRAIT BETWEEN ASIA AND AMERICA WITH THE COAST OF THE TSCHUTSKI. Drawn by A. Arrowsmith. 1802.
This Map appears in an account of a geographical and astronomical expedition to the northern part of Russia (expedition of Billings for the Russian Government), by Sauer. London, 1802.
This is practically a Chart of Behring Sea, but that sea is not separately named in any way.
Sea of Okhotsk appears prominently. *Sea of Anadyr* in bay of that name.

1802. 26. VOYAGES ALONG THE NORTH-EAST COAST OF SIBERIA, AND ARCTIC, AND PACIFIC OCEANS DURING EIGHT YEARS, &c. (Billings' Expedition.) By Captain Sarychef. St. Petersburg, 1802.
Behring Sea without any general name.
Sea of Ko atschatka, &c., appear precisely as in Map No. 32, which is a German edition of the same.
-
1804. 27. GENERAL MAP OF NORTH AND SOUTH AMERICA. A. Arrowsmith. London, 1804.
All eastern part of Behring Sea included as far west as Behring Island, but without name.
North Pacific Ocean.
-
1804. 28. MAP OF AMERICA. A. Arrowsmith. 1804.
Behring Sea without name.
Bhering's Strait. North Pacific Ocean.
-
1804. 29. A GENERAL AND CLASSICAL ATLAS. By E. Pattison. 1804.
Map 3. The World.
Rather small Map in Hemispheres. No names on Behring Sea, Okotak Sea, Japan Sea, &c., though *Hudson's Bay, Baffin's Bay, China Sea, &c.*, shown.
North Pacific Ocean appears alone.
30. Map 5. Asia.
Western part of Behring Sea shown, but without name, though *Sea of Okotak, &c.*, named.
Pacific Ocean.
31. Map 7. North America.
Eastern part of Behring Sea shown, but without name.
North Pacific Ocean.
-
1805. 32. CHARTE DES NORD-ÖSTLICHEN THEILS VON SIBIRIEN, DES EISMERES, DES OST-OCEANS UND DER NORDWESTLICHEN KÜSTE VON AMERICA. Entworfen von Saritschew.
From Sarychef's account of Billings' voyages. German translation. Leipzig, 1805.
Behring Sea without any general name.
Das Meer von Kamtschatka appears in the western part of the sea, to north of Commander and the western Aleutian Islands, but is distinctly intended to apply only there. Lettering used in this case same with that of *Das Ochotskische Meer.*
Berings Strasse. Ost-Ocean oder das Stille Meer.
-
1809. 33. REDUCED CHART OF PACIFIC OCEAN BY ARROWSMITH. Additions to 1809. One sheet.
This is a reduction of No. 40, described below, but evidently from an earlier edition than there quoted, extending equally far north, and likewise showing Behring Sea without name.
-
1809. 34. SMITH'S NEW GENERAL ATLAS. London, 1809.
Map 1. Western Hemisphere. Behring Sea named *Sea of Kantschatka.*
Bering's Str. North Pacific Ocean.
35. Map 3. The World. Mercator's Projection.
Same as last.
36. Map 28. Russian Empire.
Behring Sea named *Sea of Kamtschatka.*
37. Map 31. Asia. Greater part of Behring Sea shown, and portion of America, but without name on sea.
Bering Str. North Pacific Ocean. Part of the latter name runs over into Behring Sea.
38. Map 41. America.
Behring Sea named *Sea of Kamtschatka.*
39. Map 42. North America. Greater part of Behring Sea included in detail, but without name.
Bhering's St. North Pacific Ocean.
-
40. ARROWSMITH'S CHART OF THE PACIFIC OCEAN. This is a large and important Map in nine sheets, specially devoted to the Pacific Ocean. Originally published 1798. This edition with corrections to 1810. The northern edge of the Map runs about latitude 62° north, and it includes the greater part of Behring Sea, but shows it as a large blank unnamed space. *Bristol Bay* alone is rather prominently named. By contrast, the *Sea of Okotak, Sea of Japan*, and other inclosed seas are named.

IVIC OCEANS
1802.

dition of the

4.
name.

dan Sea, &c.,

ned.

NS UND DER

nder and the
in this case

sheet.
a than there

but without

1.

without name

Map in nine
a corrections
greater part
prominently

41. KARTE DE GROSSEN OCEAN. Soltzmann. Perthes, 1810.
Behring Sea named *Kamatschisches Meer*.

1810.

42. OSTELL'S NEW GENERAL ATLAS. London, 1810.

Map 1. The World. Behring Sea without name, though *Sea of Okhotsk*, &c., all clearly named.
Bhering's Strait. North Pacific.

1810.

43. Map 19. Asia. Includes all the western part of Behring Sea, but without name.
Pacific Ocean.

44. Map 21. North America. Includes all eastern part of Behring Sea, but without name.
Bhering's Straits. Pacific Ocean.

45. CHART OF THE WORLD. Mercator's Projection. Showing Captain Cook's discoveries. Date assigned in catalogues, 1811. (From Guthrie's "Atlas.")
Behring Sea named *Sea of Kamtschatka*.
Bhering's Straits. North Pacific Ocean.

1811.

46. HYDROGRAPHICAL CHART OF THE WORLD. A. Aitowsmith, 1811.
Behring Sea named *Sea of Kamtschatka*.
Bhering's Strait. North Pacific Ocean.

1811.

47. MAP OF THE WORLD ON MERCATOR'S PROJECTION ILLUSTRATING LISIANKY'S VOYAGE ROUND THE WORLD. St. Petersburg, 1812.
Behring Sea without separate name.
Bering Strait. North Pacific Ocean.

1812

48. NEW ATLAS. Fielding Lucas. Baltimore. Assigned date in catalogue, 1812.
Map 2. Western Hemisphere.
Behring Sea named *Kamtschatka Sea*.
North Pacific Ocean.

1812.

49. Map 3. The World. Mercator's Projection.
Behring Sea shown, but without name.
Beerings Str. North Pacific Ocean.

50. Map 29. North America.
Behring Sea named *Sea of Kamtschatka*.
Bhering's Str. Pacific Ocean.

51. GOLDSMITH'S ATLAS. London, 1813.
Map 1. The World. Stereographic Projection.
Behring Sea not named, though *Sea of Okhotsk*, *Sea of Japan*, &c., named.
North Pacific Ocean.

1813.

52. Map 2. World on Mercator's Projection.
Name same as above.

53. Map 4. Asia. Same as above.

54. NEW ELEMENTARY ATLAS. Cary. London, 1813.
Map 1. The World. *Sea of Kamtschatka* placed in western part of Behring Sea adjacent to the peninsula of same name. No general name for Behring Sea.
North Pacific Ocean.

1813.

55. Map 2. The World. Same as above.

56. Map 19. Asia.
Sea of Kamtschatka, the name being placed quite close to the land of the peninsula.

57. Map 25. North America. Whole eastern part of Behring Sea shown, but without name.

1814. 58. NEW MAP OF AMERICA. Smith. London, 1814.
Behring Sea called *Sea of Kamtschatka*.
-
1814. 59. MAP OF THE WORLD. Illustrating the voyages and travels of G. H. von Langsdorff. In Langsdorff, "Voyages and Travels, 1803-7." London, 1814. 4to. 2 vols.
This Map is separately marked on margin as engraved in 1814.
Behring Sea without name, though the author's route passes twice across it.
Berrings Strait. North Pacific Ocean.
-
1815. 60. PINKERTON'S ATLAS. London, 1815.
No. 1. The World, Western Hemisphere. Behring Sea named *Sea of Kamtschatka*.
61. No. 5. Northern Hemisphere (Polar Projection). Behring Sea named *Sea of Kamtschatka*. This name, and those of *Sea of Okhotsk, Sea of Jesso, Yellow Sea, &c.*, all in one size and style of lettering, and apparently similarly subordinate to *Grand Northern Ocean*, which is written across the Pacific.
62. No. 40. About half of the eastern part of Behring Sea is shown on this Map, but without any name, though there is plenty of room for its introduction. *Grand Northern Ocean* written across Pacific.
63. 64. Nos. 60 & 61. The World, on Mercator's Projection. Behring Sea named *Sea of Kamtschatka*. In one Map is in same size and style of lettering as *Sea of Okhotsk*, in the other in same form as *Davis's Strait*. Part of the name *Grand Northern Ocean* extends to the west of the Kurile Islands chain.
-
1815. 65. CARTE ENCYPROTYPE DE L'AMÉRIQUE. H. Brué, 1815.
Behring Sea named *Bassin du Nord*.
Behring Strait named *Dét. de Behring*.
Pacific named *Grand Océan*.
-
1816. 66. CHARTE VON DER BEHRINGS STRASSE. August 1816.
In Kotzebue, "Entdeckungs-Reise in die Sud-See," &c. Weimar, 1821. This Chart is the original of that in the English translation. Large part of Behring Sea shown, but without name.
Behrings-Strasse.
-
1816. 67. COMPENDENSER ALLGEMEINER ATLAS. Geog. Inst., Weimar, 1816.
Map 2. Western Hemisphere. Behring Sea without name.
Behring Strait named *Cook's Stra.*
North Pacific named *Das Nordliche Stille Weltmeer*.
68. Map 26. Asia. Behring Sea named here *Kamtschatkaschte Meer*.
Cook, od. Behring's Strasse.
69. Map 29. America. Part of Behring Sea shown, but without names.
-
1817. 70. THOMPSON'S NEW GENERAL ATLAS. Edinburgh, 1817. Folio.
Map 1. Hydrographical Chart of the World, Mercator's Projection.
Sea of Kamtschatka engraved parallel to the peninsula, and near it. No general names for Behring Sea.
Behring Str. North Pacific Ocean.
71. Map 2. Northern Hemisphere, Polar Projection.
Behring Sea named *Sea of Kamtschatka*.
N. Pacific named *Grand Northern Ocean*.
72. Map 5. Western Hemisphere.
Sea of Kamtschatka, but evidently applied to western part only of Behring Sea.
S. of Anadir also appears, though in smaller letters, in north-western part of Behring Sea.
73. Map 6. Northern Hemisphere, projected on plane of horizon of London.
Behring Sea named *Sea of Kamtschatka, Bhering Str.*
74. Map 35. Asia. Whole of Behring Sea shown.
Sea of Kamtschatka engraved between *Bhering's I.* and the peninsula, and evidently confined to western part of Behring Sea. Manifestly equivalent in rank to *Sea of Anadir*, which is engraved in gulf of that name further north.
North Pacific Ocean.
75. Map 36. Russian Empire. *Sea of Kamtschatka* on western part of Behring Sea, which is alone included.

Str.

Sea

Sea

Bhering's Strait. Pacific Ocean.

76. Map 52. America. Greater part of Behring Sea shown, but without name.

Bhering's St. North Pacific Ocean.

77. Map 53. North America. About half of Behring Sea shown, but without name.

Bhering's Straits. North Pacific Ocean.

78. Map 74. Chart of northern passage between Asia and America.

Behring Sea named *Sea of Kamchatka* as a whole.*Behring's Strait. Northern Part of Pacific Ocean.*

79. CHARTE VON AMERICA. F. W. Streit. Nürnberg, 1817.

Behring Sea named *Meer von Kamtschatka*.Pacific Ocean named *Der Stille Ocean*.

1817.

80. RUSSIAN WAR TOPOGRAPHICAL DEPÔT MAP. General Map of Asia. St. Petersburg, 1817.

Behring Sea so named, in same style of lettering as *Okhotsk Sea*, &c.*Pacific Ocean* so named.

1817.

81. CHARTE VON AMERICA. Streit. F. Campe, Nürnberg, 1817.

Behring Sea named *Meer von Kamtschatka*.Behring Strait named *Behring oder Cooks Strasse*.Pacific named *Der Stille Ocean*.

1817.

82. MAP OF COUNTRIES ROUND THE NORTH POLE. A. Arrowsmith. London, 1818.

Behring Sea named *Sea of Kamtschatka*.*North Pacific Ocean*.

1818.

83. MAP OF NORTH POLAR REGIONS. H. M. Leake, 1818.

Behring Sea named *Sea of Kamtschatka*.*North Pacific Ocean*.

1818.

84. MAP OF COUNTRIES ROUND THE ARCTIC OCEAN. J. Wyld. London, 1818.

Behring Sea named *Sea of Kamtschatka*.

1818.

85. MAP OF COUNTRIES ROUND ARCTIC OCEAN. C. Smith. London, 1818.

Behring Sea named *Sea of Kamtschatka*.

1818.

86. ASIA. By Arrowsmith. London, 1818.

Behring Sea not named, though a large part of the western side is included.

1818.

87. CHART OF THE NORTH COAST OF ASIA, AND OF THE SEA TO THE NORTH OF BERING'S STRAIT. In Burney's "Chronological History of North-Eastern Voyages of Discovery." London, 1819. Greater part of Behring Sea included, but without name, though the northern part of the *Sea of Ochotsk*, which is alone included, is prominently named.

1819.

88. BRADLEY'S UNIVERSAL ATLAS. London, 1819.

Map 1. The Globe.

Behring Sea without name.

Bhering's Str. Pacific Ocean.

1819.

89. Map 3. Asia. Shows the whole of Behring Sea, but without name, in manifest contrast to *Sea of Ochotsk*, &c.

Bhering's Str. Pacific Ocean.

[117]

2 D

90. Map 5. North America. Includes greater part of Behring Sea, but without name.
Behring's Strait.

1820.

91. CARTE DE L'ASIE. Brûé. Paris, 1820.
Behring Sea named *Mer de Behring.*
Behring Strait named *Dét. de Behring.*
Pacific named *Grand Océan.*

1820.

92. ROSSI ATLAS. Milan, 1820.
Map 6. World in Hemispheres.
Behring Sea named *Bacino del Nord.*
Behring Strait named *Str. di Bering.*
North Pacific named *Grande Oceano Boreale*
93. Map 7. The World. Mercator's Projection.
Behring Sea appears without name.
Behring Strait named *Stretto di Bhering.*
Pacific named *Mare Pacifico.*

94. Map 25. Asia.
Behring Sea appears without distinctive name, *G d'Anadir* and *Baya di Bristol* occupying most of available area for name.

95. Map 31. Grande Oceano.
Behring Sea appears without name, *Mare d'Ochotsk*, &c., named, and *Baya di Bristol* in letters of same size and style with these.

96. Map 34. L'America Settentrionale.
Shows the whole of Behring Sea, but without name.
Behring Strait named *Stretto di Bhering.*
North Pacific named *Oceano Boreale.*
It is notable that on this rather large Map Behring Sea has no name, though *Sea of Okotsk*, though only partially included, is named in prominent characters.
This Map bears below border, "Incisero l'anno 1821."

1821.

97. CHART OF BEERINGS STRAITS ON MERCATOR'S PROJECTION, AUGUST 1816. In Kotzebue, "Voyage of Discovery into the South Sea," &c. English Translation. London, 1821.
This Chart bears on margin date of production, 1821.
Large part of Behring Sea shown, but without distinctive name.

1822.

98. MAP OF AMERICA. By A. Arrowsmith, Hydrographer to His Majesty. London, 1822.
Additions to 1823.
Greater part of Behring Sea included, but without name.
Behring's Strait. *North Pacific.*

1823.

99. AMERICAN ATLAS. Carey and Son. Philadelphia, 1823.
Map 3. Eastern part of Behring Sea shown, but without name.
Str. of Bhering. *Pacific Ocean.*

1824.

100. AMERICA. R. Wilkinson. London, 1824.
Behring Sea named *Sea of Kamtschatka.*

1825

101. WELTCHARTE IN MERCATOR'S PROJECTION. Von Christian Gottlieb Reichard. Nürnberg, 1825.
Behring Sea named *Meer von Kamtschatka.*
Behrings Strasse. *Nordlicher Grosser Ocean.*

102. BUTLER'S ATLAS. London, 1825

Map 1. The World, in Hemispheres.

Behring Sea shown without name, though *Sea of Ochotsk*, &c., named.

Bhering's Strait. North Pacific Ocean.

103. Map 16. Asia.

Behring Sea named *Sea of Kamtschatka*.

1825.

104. A NEW GENERAL ATLAS. A. Finley. Philadelphia, 1825.

Map 1. Western Hemisphere.

Behring Sea named *Sea of Kamtschatka*.

Bhering's Straits. North Pacific Ocean.

105. Map 3. The World. Mercator's Projection.

Behring Sea shown without name.

Bhering's Straits. North Pacific Ocean.

Sea of Ochotsk, Baffin's Bay, &c., all named.

106. Map 4. North America. Behring Sea included in part, but without name.

107. Map 51. Asia. Greater part of Behring Sea included, but without name.

1825.

108. SMITH'S GENERAL ATLAS. London, 1826.

Map 1. The World, in Hemispheres.

Behring Sea named *Sea of Kamtschatka*.

Bhering's St. North Pacific Ocean.

109. Map 31. Asia. The greater part of Behring Sea shown, but without name.

Sea of Anadir, in north-west part of Behring Sea, very prominently named.

Bering's Str. North Pacific Ocean.

The latter name, as in previous edition of this Map, extends over part of Behring Sea.

110. Map 33. Russian Empire.

Behring Sea named *Sea of Kamtschatka*.

111. Map 47. Behring Sea named *Sea of Kamtschatka*.

112. Map 48. North America. Western part of Behring Sea shown, but without name.

Bhering's St. North Pacific Ocean.

1826.

113. NORDAMERIKA UND WESTINDIEN. Versen. Assigned date in Catalogue, 1827.

Behring Sea named *Meer von Kamtschatka*.

Behring Strait named *Cook's Strait*.

1827.

114. CARTE GÉNÉRALE DE L'Océan PACIFIQUE. By Krusenstern. St. Petersburg, 1827.

Behring Sea named *Mer de Behring*.

1827.

115. CHART OF THE WORLD, upon Mercator's Projection. Cary. London, 1827.

Behring Sea without name, though *Sea of Okhotsk*, &c., prominently named.

Behring Strait. North Pacific Ocean.

1827.

116. THE EATON COMPARATIVE ATLAS. By A. Arrowsmith. London, 1828.

Map 3. Asia.

Western part of Behring Sea shown, but without names.

Bhering's Strait, Sea of Okotsk, &c., named.

North Pacific Ocean.

117. Map 27. Western Hemisphere.

Whole of Behring Sea shown, but without name.

Bhering's Str. named.

North Pacific Ocean.

1828.

118. A NEW GENERAL ATLAS. John Grigg. Philadelphia, 1828.

Map 1. Western Hemisphere.

Behring Sea without name.

Bhering Str. North Pacific Ocean.

119. Map 14. Asia.

Behring Sea without name.

1828.

1828. 120. GENERAL ATLAS OF THE GLOBE. By M. Malte-Brun. Philadelphia, 1828.
Map of Siberia and Central Asia shows western part of Behring Sea only.
Pacific Ocean written from Kurile Islands northwards beyond Aleutians.
Sea of Okhotsk and *Sea of Anadyr* so named.
121. Map of the World in Hemispheres.
The whole of Behring Sea is shown without name, while *Sea of Okhotsk* is so named.
-
1829. 122. ASIA. A. R. Fremin. Paris, 1829.
Behring Sea named *Bassin du Nord, ou de Behring*.
Pacific named *Grand Océan, Mer de Sud, ou Océan Pacifique*.
-
1829. 123. ASIEN. Schmidt. Berlin, 1829.
Behring Sea named *Kamtschatsches Meer*.
Behring Strait named *Behring Strasse*.
Pacific named *Das Grosse Weltmeer*.
-
1829. 124. ATLAS UNIVERSEL DE GÉOGRAPHIE. Lapie. Paris, 1829.
No. 16. A Map of the World on Mercator's Projection. Separately dated on engraving, 1832.
Behring Sea is marked *Mer de Béring* in letters same size and style as those employed for *Baie de Baffin*, and larger than those used for *Mer d'Okhotsk, M. de Saghalien, &c.*
The Pacific is named *Grand Océan Equinozial*, this name running along the Equator.
125. No. 17. Map of the World in Hemispheres. Separately dated on engraving, 1831.
Behring Sea named, as above, but the North Pacific named *Grand Océan Boréal*.
The spelling of Béring on these Maps, and the names used for the Pacific, seem to show that they, or previous editions of the same, were not employed by the negotiators.
-
1830. 126. AN ATLAS OF MODERN GEOGRAPHY. A. Arrowsmith. 1830.
Map 1. Behring Sea shown without name.
North Pacific.
127. Map 28. Similar to last.
-
1830. 128. A COMPARATIVE ATLAS. By A. Arrowsmith. London, 1830.
Map 27. Western Hemisphere.
The whole of Behring Sea shown, but without name.
Beerings Strait. North Pacific Ocean.
129. Map 28. North America.
Greater part of Behring Sea shown, but without name.
Beerings Str. North Pacific Ocean.
-
1830. 130. AMERICA. Prof. J. M. F. Schmidt. Berlin, 1830.
Behring Sea named *Meer von Kamtschatka*.
North Pacific named *Die Nord See*.
-
1831. 131. CHART SHOWING THE TRACK OF H.M.S. "BLOSSOM," in "Narrative of a Voyage to the Pacific and Beering's Strait, 1825-28." London, 1831.
Behring Sea shown, but without name.
Beerings Strait. North Pacific Ocean.
-
1832. 132. HYDROGRAPHICAL CHART OF THE WORLD. A. Arrowsmith. London. New edition. 1832.
Behring Sea named *Sea of Kamtschatka*.
Beerings Strait. North Pacific Ocean.
-

133. ARROWSMITH'S CHART OF THE PACIFIC OCEAN. See No. 30. Another edition corrected to 1832, and with note below title, stating that corrections were made in 1810, 1814, 1817, 1818, 1822, 1826, and 1832. 1832.

In the 1832 edition the size and general outlines are as before, and Behring Sea is still without name. Other inclosed seas named as before.

It may be supposed that the negotiators for Treaty of 1825 were supplied with corrected copy to 1822, and it is clear that on this copy the nomenclature must have been the same as on those of earlier and later dates.

134. MAP OF THE PACIFIC OCEAN IN "ARROWSMITH'S ATLAS." London, 1835. 1835.
Behring Sea, or Sea of Kamtschatka.

135. WELTCHARTE IN MERCATOR'S PROJECTION. Reichard. Nürnberg. New edition, 1839. 1839.
Behring Sea named Meer von Kamtschatka.
Behring's Strasse. Nordlicher Grosser Ocean.

136. CARTE DE L'Océan Pacifique. In Atlas accompanying Duflot de Morfas' work. Paris, 1844. 1844.
Behring Sea without name, though Mer d'Okhotsk, &c., are prominently named.
Dét. de Béring. Grand Ocean Septentrional.

ing, 1832.
oyed for Baie

1831.

now that they,

The particulars above given show in what manner and to what extent the terms *Sea of Kamtschatka* and *Behring Sea* had been and were used, at about the time of the Ukase of 1821 and the consequent negotiations, in Maps, upon which the United States appears to rely rather than upon distinct geographical definitions.

In 49 of the 136 Maps above quoted a separate name (usually *Sea of Kamtschatka*) is given to the portion of the North Pacific Ocean now known as *Behring Sea*. On the remaining 87 Maps no general name for the Sea appears, though on 25 the names "*Sea of Kamtschatka*," "*Sea of Aundyr*," "*Beaver Sea*," &c., are given as referring only to certain parts of the sea adjacent to the Asiatic coast.

2.—ON THE USE OF THE NAMES "NORTH-EASTERN OCEAN," "EASTERN OCEAN."

IN regard to the term *North-Eastern Sea* or *Eastern Ocean*, which it is claimed was also used as a United States' Case, distinctive name for what is now generally known as *Behring Sea*, it is to be remarked that neither of these terms is noted as being used upon any of the Maps contained in the selected list brought forward by the United States. P. 53.

1. *North-Eastern Sea*.—The only instances cited for the use of *North-Eastern Sea*, as another name for *Behring Sea*, are the first and third Charters of the Russian-American Company.

In the first—the Ukase of 1799—the expression used is *North-Eastern Ocean*—not *North-Eastern Sea*—which applies to the waters from *Behring Strait* down to 55° north latitude, and therefore includes waters outside *Behring Sea*. The Kurile Islands are also distinctly mentioned as being included in the waters covered by the expression.

In the third Charter—of 1844—*North-Eastern Sea* is used. The wording of the paragraph does not make it quite so clear, as in the Ukase of 1799, that the Kurile Islands are included in the waters so designated, though the presumption is strong that this is so; but as the southern limit is 54° 40' north latitude, the term obviously includes the waters south of *Behring Sea*.

North-Eastern Sea is also used in the Ukase of Nicholas of the 29th March (10th April), 1829 (confirming the Charter of 1821), and evidently applies to all the waters down to 54° 40' north latitude. This passage is not cited by the United States.

The position assumed by the United States makes it necessary for them to endeavour to explain the term *North-Eastern Ocean* used in these Charters as being a distinctive name for *Behring Sea*, but no other authority for its use in this limited sense has been adduced, and the Charters themselves, as shown above, clearly fail to support the interpretation claimed by the United States.

2. *Eastern Ocean*.—The authorities quoted by the United States for the use of this term as applied to *Behring Sea* only are two in number: (a) A Map which forms the frontispiece of "*Coxe's Russian Discoveries*;" (b) *Globe*, by D. Adams, London, 1797. This is quoted in a foot-note to the list of Maps, p. 290, vol. i. It did not appear in the list appended to Mr. Blaine's note of the 17th December, 1890.

e to the Pacific

dition. 1832.

With regard to (a), it is to be observed that, although in the Map on the frontispiece of Coxe, edition of 1803, *Eastern Ocean* is written on the ocean to the north of the Aleutian Islands, no name is actually written across the comparatively small portion of the ocean to the south of these islands included by the Map; and that in a further Map (facing p. 248) of Krenitzin's and Levasseff's Voyage to the Fox Islands in 1768 and 1769, *Eastern Ocean* is written so as to include the waters south of the Aleutian Islands as well as those to the north.

Further, in the first sentence of Chapter I, Part I (p. 21, ed. 1803), Coxe says:—

"The possession of Kamtschatka was soon followed by voyages of discovery to the *North Pacific Ocean*."

Then follows an account of Peter the Great's plan of a voyage to ascertain the separation, continuity, or connection of Asia and America, with his instructions to Vitus Bering.

At p. 110 of the same edition the following passage occurs:—

"A full and judicious account of all the discoveries hitherto made in the *Eastern Ocean* may be expected from Muller. Meanwhile, the following narrative, extracted from original papers, and procured from the best intelligence, may be acceptable to the public."

The narrative that follows is one of voyages to the Aleutian Islands and Kadyak, and it is mentioned that the explorers in some instances first sailed south from Behring Island and Kamtschatka in search of land (pp. 142, 150); but being disappointed, bore north for the Aleutian Islands.

It is thus quite clear that the term *Eastern Ocean*, as here employed, is not a special designation of Behring Sea, but a synonym of *Pacific Ocean*, precisely analogous to the term *Western Ocean*, which is often employed in Europe for the *Atlantic Ocean*. Behring Sea was, in fact, a part of the *Eastern Ocean* of Coxe, who thus uses it in the same sense as that in which *North-Eastern Sea* or *Ocean* was employed in the Russian Charters above alluded to.

(b.) The Globe by D. Adams, London, 1797, which is the only other authority quoted for the limited application of the term *Eastern Ocean*, has not been found, though two earlier Globes by the same author, dated 1769 [?] and 1772 [?], are in the King's Library at the British Museum.

These Globes, as is to be expected from their early dates, show a very imperfect knowledge of the regions in question.

The names, which are in Latin, and the configuration correspond with those in Muller's Map, published in London in 1761, above alluded to at p. 88 of this Appendix.

But assuming that "*Eastern Ocean*" is confined to Behring Sea on the Globe of 1797, quoted by the United States, this authority cannot be set against that of other Maps, which clearly show that the term, which was rarely used, was not confined to the waters north of the Aleutian Islands, and was in most cases a synonym for the "*Pacific Ocean*." The following may be quoted:—

1780. SAYER AND BENNETT'S EAST INDIA PILOT CHART, No. 23, 1780. *Eastern Ocean* extends along the parallel of 18° north latitude and from 125° east to 156° east longitude, or from near Luzon Island beyond the Ladrone Islands.

1772. MAP OF ASIA, according to Sieur d'Anville, published by R. Sayer, London, 1772. *Eastern Ocean* is placed in about the same position as in preceding Map quoted.

MOLL'S ATLAS, MAP OF THE WORLD ON MERCATOR'S PROJECTION. The *Eastern Ocean* or *Parts unknown* is written off the north-east shore of Asia, Asia north of Japan.

1800. MAP SHOWING THE RUSSIAN EMPIRE, in "View of the Russian Empire," 3 vols. 8vo. Took, London, 1800. The North Pacific is named as a whole *Eastern Ocean*, the first word lying to the north, the second to the south, of the Aleutian Islands. *Eastern Ocean* is used in the same general sense in the text.

1805. CHARTE DES NORDÖSTLICHEN THEILS VON SIBIRIEN DES EISMEERS, DES OST-OCEANS UND DER NORDWESTLICHEN KÜSTE VON AMERICA. Entworfen von Sarütschew, from Sarycheff's account of Billings' Voyages, German translation, Leipzig, 1805.

Ost-Ocean oder das Stille Meer.

1826. MAP ON MERCATOR'S PROJECTION OF A PART OF THE EASTERN OCEAN ADJACENT TO NORTH-WEST AMERICA BETWEEN THE STRAITS OF FUCA AND THE GULF OF KENAI, edition of 1826. A Russian Map, published at St. Petersburg.

The words *Part of the Eastern Ocean* are written in three horizontal lines off the portion of the coast given.

RUSSIAN MAP, published at St. Petersburg 1826, with a similar title to the above, but giving the coast from the Gulf of Panamá to the Straits of Fuca. *Part of the Eastern Ocean* is written in like manner in three horizontal lines opposite the coast given.

1926

MAP OF THE ENTRANCES TO PORT OF NEW ARCHANGEL THROUGH THE SOUNDS OF SITKA AND KLOKATCHEFF, DRAWN UP FROM DESCRIPTIONS OF STURMAN VASILEFF I IN 1809 AND VASILEFF II IN 1833, AND ENGRAVED IN HYDROGRAPHICAL DEPARTMENT OF MINISTRY OF MARINE, 1843. A Russian Map, published at St. Petersburg. *Eastern Ocean* is written off the portion of the coast given in three horizontal lines.

1843

MAP ON MERCATOR'S PROJECTION OF THE SOUTHERN PORTION OF THE KOLOSCHENSKY ARCHIPELAGO, DRAWN UP FROM VARIOUS JOURNALS AND MAPS, AND ENGRAVED IN THE HYDROGRAPHICAL DEPARTMENT OF THE MINISTRY OF MARINE, 1853. A Russian Map, published at St. Petersburg. *Eastern Ocean* is written in a line parallel to the coast given.

1853.

GENERAL MAP OF ASIATIC RUSSIA OR SIBERIA, AND THE RUSSIAN NORTH-AMERICAN POSSESSIONS. ST. PETERSBURGH, 1859. A Russian Map, published at St. Petersburg in 1859. The ocean south of the Aleutian Islands is marked *Eastern, Great, or Pacific Ocean*.

1859.

3.—ON THE MEANING OF THE TERM "NORTH-WEST COAST OF AMERICA," OR "NORTH-WEST COAST."

MR. BLAINE, in his despatch of the 17th December, 1892, discusses the question of the meaning of the term *North-west Coast* or *North-west Coast of America* at greater length, and more fully explains the contention with reference to it, than is done in the Case of the United States. He writes as follows:—

"The dispute prominently involves the meaning of the phrase 'north-west coast,' or 'north-west coast of America.'"

Mr. Blaine to
Sir J. Panncoft,
December 17, 1892.
"United States No. 2
(1890)," No. 19, p. 27.
British Case,
Appendix, vol. ii.

"The contention of this Government is that by long prescription the 'north-west coast' means the coast of the Pacific Ocean, south of the Alaskan Peninsula, or south of the 60th parallel of north latitude; or, to define it still more accurately, the coast, from the northern border of the Spanish possessions, ceded to the United States in 1819, to the point where the Spanish claims met the claims of Russia, viz. from 42° to 60° north latitude. The Russian authorities for a long time assumed that 59° 30' was the exact point of latitude, but subsequent adjustments fixed it at 60°. The phrase 'north-west coast,' or 'north-west coast of America' has been well known and widely recognized in popular usage in England and America from the date of the first trading to that coast, about 1784. So absolute has been this prescription that the distinguished historian, Hubert Howe Bancroft, has written an accurate history of the north-west coast, which at different times, during a period of seventy-five years, was the scene of important contests between at least four Great Powers. To render the understanding explicit, Mr. Bancroft has illustrated the north-west coast by a carefully prepared Map. The Map will be found to include precisely the area which has been steadily maintained by this Government in the pending discussion.

"The phrase 'north-west coast of America' has not infrequently been used simply as the synonym of the 'north-west coast,' but it has also been used in another sense as including the American coast of the Russian possessions as far northward as the Straits of Behring. Confusion has sometimes arisen in the use of the phrase 'north-west coast of America,' but the true meaning can always be determined by reference to the context."

It can, however, be shown by actual reference to published maps and documents (apart from the negotiations leading up to the conclusion of the Conventions of 1824 and 1825 cited in the British Case, Chapter III): (1) That *North-west Coast of America* and *North-west Coast* are practically identical expressions, "America" being in the latter case understood, and the abbreviated form being merely arrived at by the elision of that word. (2) That the full meaning of the term, in either form, included the western coast of North America, starting from an indefinite point to the southward, and extending up to Behring Strait, which is defined as the northern limit. (3) That in one or other form it has nevertheless been loosely employed in an indefinite way as a general name for various different parts of the west coast of North America.

The term *North-west Coast*, or, more fully, *North-west Coast of North America*, is in fact a *North-west Coast*, descriptive one of a somewhat peculiar character.

Looking at the map, it will be seen that the coast which has not infrequently been so named is in reality the coast of North America which faces west or south-west, and forms the eastern and north-eastern coast-line of the North Pacific.

This term, however, appears in the title of some very early Maps, such as that by Müller, dated 1761, which is entitled, "A Map of the Discoveries made by the Russians on the North-west Coast of America;" that accompanying the original edition of Cook's third voyage, dated 1784, and entitled, "Chart of the North-west Coast of America and the North-east Coast of Asia;" and that in Vancouver's voyage (1798), named "A Chart showing part of the Coast of North-west America."

The last-named map, however, affords a clue to the original meaning of the term, and shows that, in these instances, we should read in full "Coast of the North-western part of the North American continent," and, conversely, "Coast of the north-eastern part of the continent of Asia."

It is very probable that the meaning of the term *North-west Coast of America* began to be differently understood at a later date, when it came into common use in the United States, for the coast in question was actually situated to the north-west of all the inhabited centres of that country. Thus it became possible and appropriate to drop the words "of America."

But, in admitting this, it is also evident that the *North-west Coast*, as thus secondarily applied must have included the whole coast lying north-westerly from the point of observation, or trending from any given point of departure on the west coast of the continent in a general north-westerly direction.

It appears, however, to be maintained on the part of the United States that, at some still later date, the term *North-west Coast* came to bear a quite definite signification, as referring to a certain particular part of the western coast of North America.

In this case such usage may be expected to be found recorded in writings or on maps at some particular epoch, and thereafter to have been continued with precision.

The term is seldom found as a geographical one defined verbally. In fact, the only such attempt at precise definition so far met with is that of Greenhow (in 1840), already quoted in the British Case (pp. 66-67), from which it appears that he understood the north-west coast to extend from the 40th parallel to Behring Strait.

In Burney's "Chronological History of North-eastern Voyages of Discovery," London, 1819, chapter 19 is entitled "Captain Cook on the North-west Coast of America." This title is continued as a side-note to the pages following as far as to p. 229, or from the point at which Cook first sighted the land in latitude $44\frac{1}{2}^{\circ}$ to Unalaska. After this point "west coast" is substituted for "north-west coast," thus showing where the author, who was a member of Cook's expedition, supposed the north-west coast to end.

As the result of the examination of a large series of maps, relating particularly to the dates near to that of the Ukase of 1821 and the Conventions of 1824 and 1825, it is found that this term is seldom employed, and then only with a very lax and general meaning.

On Müller's Map of 1761, republished by Jeffreys in London, the description "North-west Coast of America" occurs in the title only, while the coast delineated extends to what is now known as Behring Strait. A map published in the "London Magazine" in 1764, also refers to "North-west Coast of America" in its title, but as it is merely a reduced copy of Müller's map, does not throw any further light on the subject.

Coming down to the date of Cook's third voyage in 1784, we again find a corresponding title, viz., "Chart of the North-west Coast of America and North-east Coast of Asia." This chart is drawn so as to include the coast from the vicinity of the point where it was first reached by Cook (about latitude 44°) to Icy Cape, situated north of Behring Strait and in the Arctic Ocean. The same remarks apply to the corresponding map in the French edition of Cook's Voyage, dated 1785.

In 1798, Vancouver's Voyage contains "A Chart showing part of the coast of North-west America," and this includes the coast-line continuously from latitude 30° to a point a little west of Kodiak Island.

A few years later, in 1802, we find Charts 1 to 3 published in connection with the voyage of the "Sutil" and "Mexicana," in Madrid, entitled "*La Costa Nord-ouest de America*." These continuously include from about latitude 17° northward and westward to Unalaska Island in the Aleutian chain.

Another chart, also published in 1802, by the Quartermaster-General's Department, Russia, shows (in Russian characters) the legend "Part of the north-west coast of America" running on the continental land from a point near the coast and to the north of Behring Strait, continuously to a point between the 53rd and 54th degrees of latitude.

In Rossi's Atlas, published in Milan in 1820, on Map 6, the name *Costa nord-ouest* actually appears engraved on the face of the map, and runs from a point a little to the west of the head of Cook's Inlet on the continental land southward to about the 50th parallel, while on another map in the same atlas (No. 39) the words *Parte della Costa Nord-ouest dell' America* are shown extending along the land from the longitude of Kodiak southward to latitude 39° , or much further than in the first instance notwithstanding the restriction of the title.

In "Roquefeuil's Voyages," published in Paris in 1823, a map occurs, entitled "*Carte de la Côte Nord-ouest d'Amérique*," and this includes an extent of coast from latitude $34^{\circ}30'$ northward and westward to the mainland coast west of Kodiak Island.

Some years later, in 1844, on the elaborate map accompanying M. Duflot de Mofras' work, published in Paris in 1844, "*Côte Nord-ouest de l'Amérique*," is engraved running to seaward of that part of the coast which extends from latitude 60° to the entrance of the Strait of Fuca.

The above are all of the maps included in the list elsewhere given, upon or in connection with which the term *North-west Coast* or *North-west Coast of America*, or its equivalents, has been found. None of the maps published in the United States at about the dates specially referred to have been found to include it.

Mr. Blaine, in his despatch of the 17th December, 1890, specially refers to a map "published by the Geographical Institute at Weimar" in 1803, as showing the *Nord West Kuste*, which is said to include "the coast from the Columbia River (49°) to Cape Elizabeth (60°)." It has so far been impos-

able to c
be noted
though m
Com
the term
used wit
following
"N
1868," a
(sheet 1)
the 1570
Ag
Mr. W.
with the
Coast an
Chirikof
the term
In
to a sma
(1884),
Th
the des
"The m
Governm
If
more ac
vicinity
Pacific.
Th
Hudson
the ent
to critic
map wa
of a mo
Th
placed
work a
in expl
the pur
British
certain
division
and as
fact, h
above
His m
directi
T
definit
the Ca
T
define
to the
from I
north
280 m
to be
indefi
The o
tentio

•
In the
the 40
margin
correct

sible to consult this map, but the description given of it may doubtless be assumed as correct. It will be noted that the usage here found does not precisely agree with that on any of the above-cited maps, though most nearly to that of Duflot de Mofras.

Coming down, however, to much later times, numerous instances might be quoted showing that the term was not restricted to the limits contended for by Mr. Blaine, and that it has generally been used with the utmost laxity, even by those likely to be best informed on the subject. Witness the following:—

"North-west Coast of America, United States' Coast Survey, Benjamin Peirce, Superintendent, 1868," sheets 1 to 3. These include the coast continuously from the vicinity of the Strait of Fuca (sheet 1) to some distance west of Kodiak and Seven Islands (sheet 3), ending to the westward between the 157th and 158th meridians, and showing the eastern part of Bristol Bay.

Again, in the United States' "Alaska. Pacific Coast Pilot," Part I, 1883, which was edited by Mr. W. H. Dall (a gentleman whose familiarity with all historical and geographical points connected with the west coast is well known), on p. 237, under "List of Charts issued by the United States' Coast and Geodetic Survey—Sailing Charts—*North-west Coast of America*," is found catalogued "No. 4, Chirikoff Island to Nunivak." This particular chart is entered as "in preparation," but its title carries the term "north-west coast" up to or beyond latitude 60° within Behring Sea.

In Mr. Blaine's despatch of the 17th December, 1890, particular importance is, however, attached to a small and rather poorly engraved map which appears in Mr. H. H. Bancroft's works, vol. xxvii (1884), which is the first of two volumes named "History of the North-west Coast."

This map is entitled "Map of the North-west Coast," and is actually reproduced in fac-simile in the despatch. This map appears to be regarded as an argument conclusive in itself, and it is said of it, "The map will be found to include precisely the area which has been steadily maintained by this Government in the pending discussion."*

If Mr. Blaine had written "precisely that part of the west coast of America," he would have been more accurate, for of this coast the map in question actually includes from about latitude 40° in the vicinity of Cape Mendocino, to the vicinity of that part of the coast where latitude 60° reaches the Pacific.

The area of the map is, however, a very different matter, as it stretches eastward so as to include Hudson Bay and Strait, Davis Strait, and the St. Lawrence River nearly to its mouth: in fact, almost the entire northern width of the North American Continent. We are fortunately, however, not obliged to criticize this point alone by the exigencies which determined the lines upon which this particular map was cut off by the draftsman—for it is evidently by its construction a reproduction of some part of a more inclusive map of the continent.

The text of the work to which it is an appendage explains the limits which the historian had placed himself under, and, at the same time, very clearly shows that he did not suppose the title of his work alone would render its scope clear to his readers. On the second page of the first volume, and in explaining the scope of his work, Mr. Bancroft writes: "The term north-west coast, as defined for the purposes of this history, includes the territory known in later times as Oregon, Washington, and British Columbia," thus rendering it obvious that for convenience he embraced under that term certain parts of the west coast which subsequently shaped themselves into three distinct territorial divisions. As he had already treated of the history of California (vols. xviii and xix), this was excluded, and as he proposed to treat separately of Alaska (vol. xxviii), this, also, was eliminated. As a matter of fact, however, he found it convenient to include in his map a greater extent of the coast than that above defined to the north and south, as we have already seen he did not scruple to do to the east. His map actually includes a considerable part both of the coast and the interior of Alaska in one direction, and of what is now the State of California in the other.

The difficulty incident to the attempt made on the part of the United States to attach a perfectly definite meaning to the term *North-west Coast* is further illustrated by the varying definitions given in the Case of the United States itself, and in Mr. Blaine's despatch already cited.

Thus it will be noticed, for instance, that Mr. Blaine, in his despatch of the 17th December, 1890, defines the north-west coast as extending from 42° to 60° north latitude, and marks it as terminating to the north at the 141st meridian. But it is defined on p. 26 of the United States' Case as extending from Prince William Sound to the mouth of the Columbia River, thus stretching beyond Mr. Blaine's northern terminal point by at least 150 miles, and falling short of his southern point by about 280 miles. Again, on p. 58 of the United States' Case, as already quoted, the north-west coast is said to be limited to the west (at its northern end) by Yakutat Bay and Mount St. Elias, which, though indefinite to the amount of 56 miles or so, agrees more nearly with Mr. Blaine's first-quoted definition. The extension of the north-west coast to Prince William Sound does not, however, agree with the contention in regard to it held on p. 58.

H. R., Ex. Doc.
No. 144, 51st Cong.,
2d Sess.

* Mr. Blaine does not appear to have noticed one curious circumstance connected with this "carefully prepared map." In the northern part of the map, each tenth degree of latitude is indicated, including 70°, 60°, and 50°, and, on the west coast the 40th parallel is also shown by a line correctly placed, to the south of Cape Mendocino. It is, however, indicated in the margin as latitude "42." On the opposite or eastern side of the map the line of latitude actually shown is latitude 42; and it is correctly so named. This peculiar mistake occurs both on the original and on the reproduction.

Notes on Maps examined, on which the term "North-west Coast of America" or its equivalent expressions are met with.

N.B.—These notes include all the maps upon which the term has been found among those contained in the general note on maps elsewhere given.

1761. 1. "Voyages from Asia to America, for completing the Discoveries of the North-West Coast of America." S. Muller. English edition. London, 1761.
This contains A MAP OF THE DISCOVERIES MADE BY THE RUSSIANS ON THE NORTH-WEST COAST OF AMERICA.
Published by the Royal Academy of Sciences at St. Petersburg, and republished in London by Thos. Jefferys.
This very early map (though geographically very imperfect) and the title of the work in which it is contained, show the sense of probably the original use of the term *north-west coast* which there extends northward to Behring Straits.
1764. 2. A NEW MAP OF THE NORTH-EAST COAST OF ASIA AND NORTH-WEST COAST OF AMERICA, WITH THE LATE RUSSIAN DISCOVERIES. In the "London Magazine," 1764.
This is practically a reduction of the last, and has a similar bearing on the question of the north-west coast.
1784. 3. "Cook's Third Voyage." Original 4to. edition. London, 1784.
This contains a Chart entitled, CHART OF THE N.-W. COAST OF AMERICA AND THE N.-E. COAST OF ASIA, &c., which includes the American coast from the point near which Cook first reached it, about 44° latitude, continuing to the termination of his explorations at Icy Cape, on the Arctic Ocean, to the north of Behring Strait.
1785. 4. "Troisième Voyage de Cook." Paris, 1785.
Contains CARTE DE LA CÔTE N.-O. DE L'AMÉRIQUE ET DE LA CÔTE N.-E. DE L'ASIE.
The name *north-west coast* is not engraved on the land of the map, but the map extends for the whole length of Cook's exploration, or to Icy Cape, in the Arctic Ocean.
1790. 5. A CHART OF THE NORTHERN PACIFIC OCEAN, CONTAINING THE N. E. COAST OF ASIA AND N. W. COAST OF AMERICA, EXPLORED IN 1778 AND 1779 BY CAPTAIN COOK, AND FURTHER EXPLORED IN 1788 AND 1789 BY JOHN MEARES. In "Meares' Voyage." 4to. edition. London, 1790.
(Includes coast from latitude 70° north of Behring Straits to south end of Peninsula of California.)
1790. 6. CHART OF THE N. W. COAST AMERICA AND N. E. COAST OF ASIA, EXPLORED IN THE YEARS 1772 AND 1779 BY CAPTAIN COOK, AND FURTHER EXPLORED IN THE YEARS 1788 AND 1789. In "Meares' Voyage." 4to. edition. London, 1790.
(Includes coast from Cape Lisburn, N. of Behring Strait, to about mouth of Columbia River.)
1798. 7. "A Voyage of Discovery to the North Pacific Ocean," &c. Vancouver. London, 1798.
Contains A CHART SHOWING PART OF THE COAST OF NORTH-WEST AMERICA.
This Chart includes the coast continuously from latitude 30° to beyond Kadiak Island.
According to the title this does not include the *whole* north-west coast.
1802. 8. MAP PUBLISHED BY THE QUARTERMASTER-GENERAL'S DEPARTMENT. Russia, 1802.
This shows, in Russian characters running on the mainland, *Part of the North-west Coast of America*, extending from a point near the coast, and to the north of Behring Strait, continuously to a point between the 53rd and 54th degrees of latitude.
1802. 9. ATLAS PARA EL VIAJE DE LAS GOLETAS "SUTIL" Y "MEXICANA." Madrid, 1802.
Charts 1 to 3, contained in this work, entitled *La Costa N.O. de America*, include continuously from latitude 17° northward, and westward to Unalaska.
1819. 10. Burney. "A Chronological History of North-eastern Voyages of Discovery." London, 1819.
Chapter 19 is entitled "Captain Cook on the North-west Coast of America." This title is continued as a side-note to the pages throughout the chapter as far as p. 229, or from the point at which Cook first sighted the American coast, in latitude 44°, to Unalaska, after which *west coast* is substituted for *north-west coast*. Burney was himself a member of Cook's expedition, and the use here made of the term shows clearly how he understood it to apply.
1820. 11. ROSSI'S ATLAS. Milan, 1820.
Map 6. THE WORLD, IN HEMISPHERES.
On this Map *Costa Nord-ouest* appears, the letters of this title extending from a little west to the head of Cook's Inlet along the land southward to the 50th parallel.
12. Map 39. CARTE DELLA PARTE DELLA COSTA A NORD-OVEST DELL'AMERICA. The object of this map was chiefly to show Vancouver's recent surveys.

Upon it the word *Parte della Costa Nord-ouest dell'America* extends along the land from the longitude of Kadiak southward to latitude 39°.

The part of the coast actually included in the Map extends from latitude 30° northward and westward continuously to a point beyond Kadiak Island.

13. "Journal d'un Voyage autour du Monde, 1816-19." Roquefeuil. Paris, 1823.

1923.

Contains CARTE DE LA CÔTE NORD-OUEST D'AMÉRIQUE.

This Map, relating specially to the north-west coast, includes the coast continuously from latitude 34° 30' to Kadiak Island and the adjacent mainland coast to the west of that island.

14. CARTE DE LA CÔTE DE L'AMÉRIQUE, par M. Duflot de Morfas. 1844.

1844.

On this Map *Côte Nord-ouest de l'Amérique* is engraved, running to seaward of that part of the coast from about 60° to the Strait of Fuca.

15. NORTH-WEST COAST OF AMERICA. UNITED STATES' COAST SURVEY. Benjamin Peirce, Superintendent. 1868.

Sheets 1 to 3. These include the coast continuously from the vicinity of the Strait of Fuca (sheet 1) to some distance west of Kadiak and Seven Islands (sheet 3), ending to the westward between the 157th and 158th meridians, and showing the eastern part of Bristol Bay.

16. In the "United States' Pacific Coast Pilot." Alaska, Part I, 1883, p. 237.

1883

"List of Charts issued by the United States' Coast and Geodetic Survey," &c.

Under the title of SAILING CHARTS, NORTH-WEST COAST OF AMERICA, is found, No. 4. CHIMKOFF ISLAND to NUNIVAK. This particular Chart is entered as "in preparation," but its title carries the term "north-west coast" up to or beyond latitude 60°, within Behring Sea.

4.—ON THE DEPTH OF BEHRING SEA, AND ITS CONNECTION WITH THE BASIN OF THE PACIFIC.

IT would appear that, in the geographical sketch contained in the United States' Case, it is endeavoured to convey the idea that Behring Sea is marked off from other parts of the Pacific Ocean in being distinctively a shallow body of water. Thus we read:—

"A peculiar feature of Bering Sea is the extensive bank of soundings which stretches off for 250 or more miles from the American coast, rendering the easterly portion of the sea very shallow."

And further:—

"The Charts show that throughout one-third of the sea the depth of the water does not generally exceed 50 fathoms, and they also show that the average depth of the whole sea is very considerably less than that of the adjoining sea."

Here, again, the statement as made must be regarded as essentially misleading, for while the north-eastern part of the sea is characterized by depths less than 100 fathoms, the western and south-western part is very deep. That part of the Pacific Ocean parallel and adjacent to the Kurile Islands is, in fact, one of the deepest oceanic valleys known, and has been named the "Tuscarora Deep," from soundings obtained by the United States' vessel "Tuscarora" at a depth of over 4,600 fathoms, or about 5½ miles. It appears from the configuration of the ocean bottom and the trend of the coast that this great depression actually extends into the western part of Behring Sea, which, as very few soundings have as yet been made in it, may considerably exceed the mean depth of the Pacific Ocean as a whole, stated generally as averaging about 2,500 fathoms.

"Encyclopedia Britannica," vol. xviii, p. 121. Ibid., Plate III.

Ibid., p. 120.

The General Chart of Alaska published by the United States' Coast Survey gives only a few soundings in the extreme easterly corner of the deep portion of Behring Sea, the greatest being 2,147 fathoms; the remaining deep portion is a blank on the Map. Vivien de St. Martin, on p. 498 of vol. iv of his "Dictionary," states that a sounding of 4,940 metres (2,700 fathoms) was obtained north of the Commander Islands; it is not shown on the Coast Survey Map. With the above facts in view, the actual average depth of Behring Sea must be considered to be as yet a matter of conjecture only. All that can be said at present, with the few soundings obtained, is that a considerable portion of Behring Sea, nearly one-half, is not inferior in depth to the main body of the ocean.

In respect to the great depth of a large part of its area, and the coalescence of this depression with the best-marked oceanic trough of the North Pacific, Behring Sea, in fact, stands in marked contrast with other seas subsidiary to and recognized as forming portions of the Pacific, such as Okhotsk Sea, Sea of Japan, Yellow Sea, and China Sea. It is wholly different from such a uniformly shallow sea as the North Sea or German Ocean, which, in so far as this single fact goes, might with greater reason be stated to be distinct from the Atlantic Ocean.

Ibid., Plate III.

The shallow character of the eastern portion of Behring Sea is, however, returned to on a later page of the Case of the United States, where it is stated that this—

"prevents any icebergs from reaching the Pribyloff Islands."

United States' Case, p. 19.

Referring to the Charts, it is found that the greatest depth of Behring Strait is about 30 fathoms, and that in consequence no icebergs, properly so called, can enter Behring Sea, while any masses of ice which could pass the Straits would, according to the Charts, have ample depth of water to float all round the Pribyloff Islands.

The actual character of the ice found in Behring Sea appears from the following quotation :—

Extract from "Report
of Ice and Ice
Movements in Bering
Sea and the Arctic
Basin," by Ensign
Edward Simpson,
U. S. N., 1890, pp. 7, 9.

"The ice in Bering Sea, although it is made up entirely of young ice every year, may be divided into two kinds, viz., that which forms in the late fall and early winter, and is telescoped and piled into heavy masses during the shifting gales; and, secondly, that which forms in the late winter and early spring in the spaces left by the old ice moving. This solid ice probably does not extend to the southward of St. Matthew Island, while the ice below it as far as the southern limit is made up of the newer ice and detached floes of well-broken ice."

French Fishery Decree and Law of May 10, 1862, and March 1, 1888.

DÉCRET DE MAY 10, 1862.

No. 10311.—*Décret Impérial sur la Pêche Côtière, du 10 Mai, 1862.*

NAPOLÉON, par la grâce de Dieu et la volonté nationale, Empereur des Français, à tous présents et à venir, salut.

Vu la Loi du 9 Janvier, 1852,* sur la pêche côtière;

Vu les Décrets des 4 Juillet, 1853,† et 19 Novembre, 1859; ‡

Vu l'avis de la Commission Permanente des Pêches et de la Domainalité Maritimes;

Sur le rapport de notre Ministre Secrétaire d'Etat au Département de la Marine et des Colonies;
Le Conseil d'Amirauté entendu,

Avons décrété et décrétons ce qui suit:—

Article 1^{er}. La pêche de tous poissons, crustacés, et coquillages, autres que les huîtres, est libre pendant toute l'année à une distance de 3 milles au large de la laisse de basse mer.

La pêche des huîtres est libre du 1^{er} Septembre au 30 Avril, sur les bancs hors baies ou situés à 3 milles des côtes, avec tous bateaux pontés ou non pontés, sans tonnage déterminé.

Les pêcheurs sont tenus d'observer, dans les mers situées entre les côtes de France et celles du Royaume-Uni de la Grande-Bretagne et d'Irlande, les prescriptions de la Convention du 2 Août, 1839,§ et du Règlement International du 23 Juin, 1843.

Art. 2. Sur la demande des prud'hommes des pêcheurs, de leurs délégués et, à défaut, des syndicats des gens de mer, certaines pêches peuvent être temporairement interdites sur une étendue de mer au delà de 3 milles du littoral, si cette mesure est commandée par l'intérêt de la conservation des fonds ou de la pêche de poissons de passage.

L'Arrêté d'interdiction est pris par le Préfet Maritime.

Art. 3. En dedans de 3 milles des côtes, la pêche des poissons, crustacés, et coquillages, autres que les huîtres, est permise toute l'année, de jour et de nuit, sous les conditions ci-après:—

(1) Les filets fixes à simple, double ou triple nappe,§ et les filets à poche auront des mailles d'au moins 25 millim. en carré.

Les marins peuvent en faire usage en bateau ou autrement.

(2) Les filets flottants¶ ne sont assujettis à aucune dimension de maille.

Sont assimilés aux filets flottants, les filets fixes dont la ralingue inférieure est élevée de manière à laisser toujours un intervalle de 20 centim. au moins entièrement libre au-dessous de la dite ralingue.

(3) La grande seine à jet aura des mailles de 25 millim. en carré.

Les dimensions des mailles des filets employés dans la Méditerranée restent fixes telles qu'elles l'ont été par le Décret du 19 Novembre, 1859, lorsque ces dimensions sont inférieures à celles prescrites par le présent Décret.

Art. 4. Tous les filets, engins et instruments destinés à des pêches spéciales, telles que celles des anguilles, du nonat, des soclets, ch. vrettes, lançons et poissons de petites espèces, ne sont assujettis à aucune condition de forme, de dimension, de poids, de distance ou d'époque.

L'emploi en est déclaré aux agents maritimes.

Ils ne peuvent servir qu'aux genres de pêches auxquels ils sont destinés et pour lesquels ils ont été déclarés.

S'ils sont employés autrement, ils seront considérés comme prohibés.

L'usage des focnes, hameçons, et dragues à coquillages n'est assujéti qu'aux mesures d'ordre et de police.

Les seines et filets destinés à la pêche des éperlans et des mulets sont, s'il y a lieu, réglementés par les Préfets Maritimes.

Art. 5. Continuent à être prohibés les guideaux, gords, et autres filets à poche, dans les fleuves, rivières, et canaux et à leurs embouchures.

Art. 6. L'usage des filets traînants** pour la pêche de toutes espèces de poissons peut être, sur la

* 10^e série, Bull. 488, No. 3561.

† 11^e série, partie supplémentaire, Bull. 35, No. 623.

‡ 11^e série, partie supplémentaire, Bull. 617, No. 9222.

§ 9^e série, Bull. 676, No. 8158.

¶ Les filets fixes sont ceux qui, tenus au fond, au moyen de piquets ou de poids, ne changent pas de position une fois calés.

¶ Les filets flottants sont ceux qui vont au gré du vent, du courant, de la lame ou à la remorque d'un bateau sans jamais s'arrêter au fond.

** Les filets traînants sont ceux qui, coulés au fond, au moyen de poids placés à la partie inférieure, y sont promenés sous l'action d'une force quelconque.

proposition des Préfets Maritimes, autorisé par des Arrêtés de notre Ministre de la Marine et des Colonies, à moins de 3 milles de la côte, dans les localités où, soit à raison de la profondeur des eaux, soit pour toute autre cause, il ne présente aucun inconvénient.

Ces filets doivent avoir des mailles d'au moins 25 millim. en carré.

Dans aucun cas, il n'est fait usage de filets trainants à moins de 500 mètres des huîtres.

Art. 7. Toute espèce de pêche, par quelque procédé que ce soit, à moins de 3 milles de la côte peut, sur une étendue déterminée du littoral, être temporairement interdite lorsque l'interdiction est reconnue nécessaire pour sauvegarder, soit la reproduction des espèces, soit la conservation du frai et du fretin.

L'interdiction est prononcée par un Décret Impérial, rendu sur la proposition de notre Ministre de la Marine et des Colonies.

Art. 8. Les Préfets Maritimes fixent par des Arrêtés les époques d'ouverture et de clôture de la pêche des huîtres sur les bancs dans l'intérieur des baies et sur ceux situés à moins de 3 milles de la côte.

Ils déterminent les huîtres qui seront mises en exploitation.

Cette pêche est interdite avant le lever et après le coucher du soleil.

A moins d'exception ordonnée par le Préfet Maritime, dans l'intérêt du nettoyage des bancs d'huîtres, les pêcheurs doivent immédiatement rejeter à la mer les poussiers, sables, graviers, et fragments d'écailles, ainsi que les petites huîtres au-dessous des dimensions réglementaires.

Toutefois, dans les localités où il existe des étalages ou autres établissements propres à recevoir les petites huîtres, ces dernières peuvent y être déposées au lieu d'être rejetées sur le fonds.

Art. 9. Des fossés et réservoirs à poissons peuvent, après autorisation, être établis sur les propriétés privées recevant l'eau de la mer.

Les Arrêtés d'Autorisation rendus par notre Ministre de la Marine et des Colonies déterminent, suivant la disposition et l'étendue des lieux, les conditions d'exploitation de ces réservoirs.

Sont permis, en se conformant aux Règlements, les dépôts d'huîtres, de moules, et de coquillages dans les propriétés privées.

Art. 10. A l'avenir, il ne sera établi aucune pêcherie à poissons, soit sur le domaine maritime, soit sur une propriété privée.

Les détenteurs de pêcheries actuellement existantes seront tenus, lorsqu'ils en seront requis et dans les délais ultérieurement déterminés, de justifier de leurs titres de propriété ou des actes d'autorisation.

Art. 11. Il est défendu de pêcher, de faire pêcher, de saler, d'acheter, de vendre, de transporter, et d'employer à un usage quelconque :—

1. Les poissons qui ne sont pas encore parvenus à la longueur de 10 centim., mesurée de l'œil à la naissance de la queue, à moins qu'ils ne soient réputés poissons de passage ou qu'ils n'appartiennent à une espèce qui, à l'âge adulte, reste au-dessous de cette dimension.

2. Les homards et langoustes au-dessous de 20 centim. de l'œil à la naissance de la queue.

3. Les huîtres au-dessous de 5 centim.

Art. 12. Les Préfets Maritimes déterminent par des Arrêtés toutes les mesures de police, d'ordre, et de précaution propres à empêcher tous accidents, dommages, avaries, collisions, &c., et à garantir aux marins le libre exercice de la pêche.

Art. 13. Tous les Arrêtés rendus par les Préfets Maritimes en matière de pêche côtière sont soumis à l'approbation de notre Ministre de la Marine et des Colonies.

Art. 14. Sont et demeurent rapportées les dispositions des Décrets et Règlements antérieurs qui sont contraires au présent Décret.

Fait au Palais des Tuileries, le 10 Mai, 1862.

(Signé) NAPOLÉON

Par l'Empereur :

Le Ministre Secrétaire d'Etat, de la Marine, et des Colonies,

(Signé) Comte P. DE CHASSELOUP-LAUBAT.

LAW OF MARCH 1, 1888.*

RÉPUBLIQUE FRANÇAISE.

No. 19032.—*Loi ayant pour objet d'interdire la Pêche aux Étrangers dans les Eaux Territoriales de France et d'Algérie, du 1^{er} Mars, 1888.*

(Promulguée au "Journal Officiel" du 2 Mars, 1888.)

LE Sénat et la Chambre des Députés ont adopté,

Le Président de la République promulgue la Loi dont la teneur suit :—

Article 1^{er}. La pêche est interdite aux bateaux étrangers dans les eaux territoriales de la France et de l'Algérie, en deçà d'une limite qui est fixée à 3 milles marins au large de la laisse de basse mer.

Pour les baies, le rayon de 3 milles est mesuré à partir d'une ligne droite tirée en travers de la baie, dans la partie la plus rapprochée de l'entrée, au premier point où l'ouverture n'excède pas 10 milles. Dans chacun des arrondissements maritimes, et pour l'Algérie, les Décrets déterminent la ligne à partir de laquelle cette limite est comptée.

Art. 2. Si le patron d'un bateau étranger ou les hommes de son équipage sont trouvés jetant des filets dans la partie réservée des eaux territoriales Françaises ou y exerçant la pêche d'une façon quelconque, le patron est puni d'une amende de 16 fr. au moins et de 250 fr. au plus.

Art. 3. La peine de l'amende prévue à l'Article précédent peut être portée au double en cas de récidive. Il y a récidive lorsque, dans les deux années précédentes, il a été rendu contre le contrevenant un jugement pour infraction à la présente Loi.

Art. 4. Les officiers et officiers mariniers commandant les bâtiments de l'État ou les embarcations garde-pêche, et tous officiers et agents commis à la police des pêches maritimes constatent les contraventions, en dressent procès-verbal et conduisent ou font conduire le contrevenant et le bateau dans le port Français le plus rapproché.

Ils remettent leurs Rapports, procès-verbaux, et toutes pièces constatant les contraventions à l'officier du Commissariat chargé de l'inscription maritime.

Art. 5. Les procès-verbaux doivent être signés et, sous peine de nullité, affirmés dans les trois jours de leur clôture, par-devant le Juge de Paix du canton où l'un de ses suppléants, ou par-devant le Maire ou l'Adjoint, soit de la commune de la résidence de l'agent qui a dressé le procès-verbal, soit de celle où le bateau a été conduit. Toutefois les procès-verbaux dressés par les officiers du Commissariat de la marine chargés de l'inscription maritime, par les officiers et officiers mariniers commandant les bâtiments de l'État ou les embarcations garde-pêche, et par les inspecteurs des pêches maritimes ne sont pas soumis à l'affirmation.

Dans tous les cas, les procès-verbaux doivent, sous peine de nullité, être enregistrés dans les quatre jours qui suivront celui de l'affirmation ou celui de la clôture du procès-verbal, s'il n'est pas soumis à l'affirmation. L'enregistrement est fait en débet.

Art. 6. L'officier ou agent qui a conduit ou fait conduire le bateau dans un port Français le consigne entre les mains du service de l'inscription maritime, qui saisit les engins de pêche et les produits de la pêche trouvés à bord, quel qu'en soit le propriétaire. Les produits de la pêche sont vendus, sans délai, dans le port où le bateau a été conduit, et dans les formes prescrites par l'Article 42 de la Loi du 15 Avril, 1829. Le prix en est consigné à la caisse des gens de mer jusqu'à l'issue du Jugement.

Indépendamment de l'amende prévue dans les Articles 2 et 3, le Tribunal ordonne la destruction des engins prohibés et, s'il y a lieu, la confiscation des engins non prohibés et des produits de la pêche saisis sur le bateau ou de leur prix. Les engins non prohibés sont vendus.

Le produit de cette vente, ainsi que de celle des produits de la pêche, et le montant des amendes, sont intégralement versés dans la caisse des invalides de la marine.

Art. 7. Les poursuites ont lieu à la diligence du Procureur de la République ou des officiers du Commissariat chargés de l'inscription maritime.

Ces officiers ont, dans ce cas, le droit d'exposer l'affaire devant le Tribunal et d'être entendus à l'appui de leurs conclusions.

Si les poursuites n'ont pas été intentées dans les trois mois qui suivent le jour où la contravention a été commise, l'action publique est prescrite.

* Bulletin des Lois de la République Française, No. 1159.

Art. 8. Les poursuites sont portées devant le Tribunal de Police Correctionnelle dans le ressort duquel est situé le port où les contrevenants ont été conduits. Le Tribunal statue dans le plus bref délai possible.

Art. 9. Les procès-verbaux des officiers ou agents chargés de constater les contraventions, comme il est dit à l'Article 6, font foi jusqu'à inscription de faux.

A défaut de procès-verbaux, la contravention peut être prouvée par témoins.

Art. 10. Si le condamné n'acquitte pas l'amende et les frais, le bateau est retenu jusqu'à entier paiement ou pendant un laps de temps qui ne peut dépasser trois mois pour la première contravention et six mois en cas de récidive.

Si le condamné interjette appel ou fait opposition, il peut se pourvoir devant le Tribunal pour obtenir la libre sortie du bateau, en consignait le montant de la condamnation et de tous les frais.

Art. 11. La présente Loi ne porte pas atteinte à la libre circulation reconnue aux bateaux de pêche étrangers naviguant ou mouillant dans la partie réservée des eaux territoriales Françaises.

Un Décret rendu dans la forme des Règlements d'Administration Publique déterminera les règles spéciales de police auxquelles, dans ce cas, les bateaux de pêche devront se conformer. Les infractions à ce Règlement sont constatées et poursuivies dans les formes prévues par la présente Loi ; elles sont punies d'une amende de 16 fr. au moins et de 100 fr. au plus, sans préjudice de la retenue du bateau.

Art. 12. Il n'est pas dérogé aux dispositions des Conventions Internationales et des Lois qui s'y réfèrent.

La présente Loi, délibérée et adoptée par le Sénat et par la Chambre des Députés, sera exécutée comme loi de l'État.

Fait à Paris, le 1^{er} Mars, 1888.

(Signé) CARNOT.

Le Ministre des Affaires Étrangères,
(Signé) FLOURENS.

Le Garde des Sceaux, Ministre de la Justice,
(Signé) A. FALLIÈRES.

Le Ministre de la Marine et des Colonies,
(Signé) KRANTZ.

*Treaty of Friendship, Commerce, and Navigation between Her Majesty
and the United States of Mexico.*

Signed at Mexico, November 27, 1888.

[Ratifications exchanged at Mexico, February 11, 1889.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Excellency the President of the United States of Mexico, being desirous of maintaining and strengthening friendly relations, and of promoting commercial intercourse between the dominions of Her Britannic Majesty and the territories of the Mexican Republic, have resolved to conclude a Treaty of Friendship, Commerce, and Navigation, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Spenser St. John, Knight Commander of St. Michael and St. George, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty in Mexico ;

And his Excellency the President of the United States of Mexico, Señor Senador Don Emilio Velasco, ex-Minister Plenipotentiary of Mexico in France, &c., &c., &c. ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :—

ARTICLE I.

There shall be perfect peace and sincere friendship between the United Kingdom of Great Britain and Ireland and the United States of Mexico. The High Contracting Parties shall use their best endeavours that this friendship and good understanding may be constantly and perpetually maintained.

ARTICLE II.

The Contracting Parties agree that, in all matters relating to commerce and navigation, any privilege, favour, or immunity whatever, which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended immediately and unconditionally to the subjects or citizens of

[117]

SU Excelencia el Presidente de los Estados Unidos Mexicanos y Su Majestad la Reina del Reino Unido de la Gran Bretaña é Irlanda, deseosos de conservar y vigorizar relaciones amistosas y de promover el tráfico comercial entre los territorios de la República Mexicana y los dominios de Su Majestad Británica, han resuelto celebrar un Tratado de Amistad, Comercio, y Navegacion, y han nombrado sus Plenipotenciarios, á saber :

Su Excelencia el Presidente de los Estados Unidos Mexicanos al Señor Senador Don Emilio Velasco, ex-Ministro Plenipotenciario de México en Francia, &c., &c., &c. ;

Y Su Majestad la Reina del Reino Unido de la Gran Bretaña é Irlanda á Sir Spenser St. John, Caballero Comendador de San Miguel y San Jorge, Enviado Extraordinario y Ministro Plenipotenciario de Su Majestad Británica en México ;

Los cuales, despues de haberse comunicado sus respectivos plenos poderes, encontrándolos en buena y debida forma, han convenido en los Artículos siguientes :—

ARTICULO I.

Habrà perfecta paz y sincera amistad entre la República Mexicana y el Reino Unido de la Gran Bretaña é Irlanda. Las Altas Partes Contratantes harán los mayores esfuerzos para que esta amistad y buena armonía se mantengan constante y perpétuamente.

ARTICULO II.

Las Partes Contratantes convienen en que, en todo lo relativo á comercio y navegacion, cualquier privilegio, favor ó inmunidad, sea cual fuere, que alguna de las Partes Contratantes tenga concedidos en la actualidad ó concediere en lo sucesivo á los súbditos ó ciudadanos de cualquier otro Estado, se extenderán inmediata é

the other Contracting Party, it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE III.

The produce and manufactures of the dominions and possessions of Her Britannic Majesty which are imported into the United States of Mexico, and the produce and manufactures of Mexico which are imported into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as, and, in particular, shall be subjected to no higher or other duties, whether general, municipal, or local, than the produce, manufactures, and goods of any third country the most favoured in this respect. No other or higher duties shall be levied in Mexico on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty on the exportation of any goods to Mexico, than may be levied on the exportation of the like goods to any third country the most favoured in this respect.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, re-exportation, or transit against the other which shall not, under like circumstances, be applicable to any third country the most favoured in this respect.

In like manner, in all that relates to local dues, customs formalities, brokerage, patterns, or samples introduced by commercial travellers, and all other matters connected with trade, British subjects in Mexico, and Mexican citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy most-favoured-nation treatment.

In the event of any changes being made in Mexican laws, Customs Tariff or Regulations, sufficient notice shall be given, in order to enable British subjects to make the necessary arrangements for meeting them.

The Mexican authorities shall, moreover, deal equitably with all cases arising from unintentional ignorance of any of the changes above mentioned.

ARTICLE IV.

British ships and their cargoes shall, in Mexico, and Mexican vessels and their cargoes shall, in the dominions and possessions of Her Britannic Majesty, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as ships and cargoes of the most favoured nation.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and, generally, to all matters connected with navigation.

Every favour or exemption in these respects, or any other privilege in matters of navigation, which either of the Contracting Parties shall grant to a third Power, shall be extended immediately and unconditionally to the other Party.

incondicionalmente á los súbditos ó ciudadanos de la otra Parte Contratante, siendo su intencion que el comercio y navegacion de cada pais sean colocados por el otro, en todo respecto, sobre la base de la nacion mas favorecida.

ARTICULO III.

Los productos y manufacturas de la República Mexicana que se importen en los dominios y posesiones de Su Majestad Británica, y los productos y manufacturas de los dominios y posesiones de Su Majestad Británica que se importen en la República Mexicana, sea para el consumo, almacenaje, re-exportacion ó tránsito, serán considerados del mismo modo, y particularmente no estarán sujetos á otros ni mas altos derechos, ya generales, municipales, o locales, que los productos, manufacturas y mercancías de una tercera nacion que sea mas favorecida á este respecto. No se impondrán otros ni mas altos derechos en los dominios y posesiones de Su Majestad Británica á la exportacion de cualesquiera mercancías para la República Mexicana, ó en la República Mexicana á la exportacion de cualesquiera mercancías para los dominios y posesiones de Su Majestad Británica, que los que se impongan á la exportacion de iguales mercancías para un tercer país que sea mas favorecido á este respecto.

Ninguna de las Partes Contratantes establecerá, respecto de la otra, prohibiciones de importacion, exportacion, re-exportacion, o tránsito que no sean aplicables, en iguales circunstancias, á un tercer país que sea mas favorecido á este respecto.

Igualmente, en todo lo que se refiere á derechos locales, aduanas, formalidades, corretajes, modelos, ó muestras introducidos por agentes viajeros, y todo lo demas relativo á comercio, los ciudadanos Mexicanos en los dominios y posesiones de Su Majestad Británica, y los súbditos Británicos en la República Mexicana, gozarán del tratamiento de la nacion mas favorecida.

En caso de hacerse algunas alteraciones en las leyes Mexicanas, aranceles ó reglamentos de Aduanas, se concederá un plazo suficiente para que los súbditos Británicos cumplan con ellos.

Las autoridades Mexicanas, ademas, tratarán con equidad todos los casos originados de ignorancia inculparable de alguna de las alteraciones antes mencionadas.

ARTICULO IV.

Los buques Mexicanos y sus cargamentos en los dominios y posesiones de Su Majestad Británica, y los buques Ingleses y sus cargamentos en la República Mexicana, cualquiera que sea el lugar de su procedencia, y cualquiera que sea el lugar de origen ó destino de sus cargamentos, serán tratados, en todo respecto, como los buques y cargamentos de la nacion mas favorecida.

La estipulacion precedente se aplica al tratamiento local, derechos y cargas en los puertos, fondeaderos, diques, radas, bahías y rios de ambos países, practique, y, en general, á todo lo relativo á navegacion.

Todo favor ó extension á este respecto, ó cualquiera privilegio en materia de navegacion, que una de las Partes Contratantes conceda á una tercera Potencia, se extenderá inmediatamente é incondicionalmente á la otra Potencia.

All vessels which, according to British law, are to be deemed British vessels, and all vessels which, according to the law of Mexico, are to be deemed Mexican vessels, shall, for the purposes of this Treaty, be respectively deemed British or Mexican vessels.

For the same purpose shall be considered as ports of each of the Contracting Parties those which are, or hereafter may be, declared open by the respective Governments for import or export trade.

The two Contracting Parties agree to consider, as a limit of their territorial waters on their respective coasts, the distance of 3 marine leagues reckoned from the line of low-water mark. Nevertheless, this stipulation shall have no effect, excepting in what may relate to the observance and application of the Custom-house Regulations and the measures for preventing smuggling, and cannot be extended to other questions of civil or criminal jurisdiction, or of international maritime law.

ARTICLE V.

The subjects or citizens of each of the Contracting Parties shall be permitted to reside, permanently or temporarily, in the dominions or possessions of the other, and to occupy and hire houses and warehouses for purposes of commerce, whether wholesale or retail. They shall also be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable, as far as the laws of each country will permit. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as natives of the country. Their heirs and legal representatives may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as natives of the country.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by natives of the country.

In every case, the subjects or citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof, if sold, freely and without being subjected on such exportation to pay any duty different from that to which natives of the country are liable under similar circumstances.

The citizens or subjects of each one of the Contracting Parties, who may be residing, temporarily or permanently, in the dominions and possessions of the other, are subject to the laws of the country where they reside, especially to those which determine the rights and obligations of foreigners, on the same conditions as those of the citizens or subjects of the most favoured nation.

ARTICLE VI.

The dwellings, manufactories, warehouses, and shops of the subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto, destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings

Todos los buques que, conforme á las leyes Mexicanas, se consideren Mexicanos, y todos los buques que, conforme á las leyes Británicas, se consideren Británicos, se considerarán respectivamente Mexicanos ó Británicos para los efectos de este Tratado.

Para los mismos efectos se deberán entender por puertos de cada una de las Partes Contratantes aquellos que están ó en adelante estuvieren habilitados por los Gobiernos respectivos para el comercio de importación ó exportación.

Las dos Partes Contratantes convienen en considerar como límite del mar territorial en sus costas respectivas, la distancia de 3 leguas marítimas contadas desde la línea de la marea baja. Sin embargo, esta estipulación no tendrá efecto, sino en lo relativo á la vigilancia y aplicación de los Reglamentos Aduanales y de las medidas para evitar el contrabando, y no podrá extenderse á otras cuestiones de jurisdicción civil ó criminal, ó de derecho internacional marítimo.

ARTICULO V.

Los ciudadanos ó súbditos de cada una de las Partes Contratantes podrán residir permanente ó temporalmente en los dominios ó posesiones de la otra; ocupar y arrendar casas y almacenes para el ejercicio del comercio, ya por mayor ó al menudeo. Tendrán también plena libertad en el ejercicio de derechos civiles, y por consiguiente para adquirir, poseer y disponer de toda clase de propiedades muebles ó inmuebles en cuanto lo permitan las leyes de cada país. Pueden adquirirlas y transmitir las á otros por compra, venta, donación, permuta, matrimonio, testamento, sucesión intestada y de cualquiera otro modo, bajo las mismas condiciones que los naturales del país. Sus herederos y representantes legales pueden suceder en ellas y tomar posesion de las mismas, ya personalmente ó por procurador, del mismo modo y con las mismas formas legales que los naturales del país.

En ninguno de estos casos pagarán sobre el valor de dicha propiedad otros ni mas altos impuestos, derechos ó cargas que los que se paguen por los naturales del país.

En todo caso se permitirá á los súbditos ó ciudadanos de las Partes Contratantes exportar su propiedad, ó los productos de la misma, si hubiere sido vendida, libremente y sin estar sujetos en la exportación á pagar derechos diferentes de aquellos á los cuales están sometidos en circunstancias analogas los naturales del país.

Los ciudadanos ó súbditos de cada una de las Partes Contratantes que residan temporal ó permanentemente en los dominios y posesiones de la otra están sujetos á las leyes del país de su residencia, especialmente las que fijan los derechos y obligaciones de los extranjeros, en los mismos terminos en que lo estén los ciudadanos ó súbditos de la nacion mas favorecida.

ARTICULO VI.

Serán respetadas las habitaciones, fábricas, almacenes y tiendas de los ciudadanos ó súbditos de cada una de las Partes Contratantes en los dominios y posesiones de la otra, y todas las localidades que les sean anexas destinadas á habitación ó comercio.

No se permitirá hacer cateos ó visitas domiciliarias en estas habitaciones y sus dependencias, ó

and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws for natives of the country.

The subjects or citizens of each of the two Contracting Parties in the dominions and possessions of the other shall have free access to the Courts of Justice for the prosecution and defence of their rights, without other conditions, restrictions, or taxes beyond those imposed on natives of the country, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents from among the persons admitted to the exercise of those professions according to the laws of the country.

ARTICLE VII.

The subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other shall be exempted from all compulsory military service whatever, whether in the army, navy, or national guard, or militia. They shall likewise be exempted from all contributions, whether pecuniary or in kind, imposed as a compensation for personal service, and, finally, from forced loans, and from charges, requisitions, and war contributions, unless imposed on real property, when they shall pay them equally with nationals.

ARTICLE VIII.

The subjects or citizens of either of the two Contracting Parties residing in the dominions and possessions of the other shall enjoy, in regard to their houses, persons, and properties, the protection of the Government in as full and ample a manner as the subjects or citizens of the most favoured nation.

In like manner the subjects or citizens of each Contracting Party shall enjoy in the dominions and possessions of the other full liberty of conscience, and shall not be molested on account of their religious belief.

ARTICLE IX.

The subjects or citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as natives, or as subjects or citizens of the most favoured nation, in regard to patents for inventions, trademarks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE X.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents to reside respectively in towns or ports in the dominions and possessions of the other Power, each one of them reserving the right of excepting those places where it may not appear convenient to admit them whenever this exception is extended to the Consular functionaries of all other nations.

Such Consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are,

examinar ó inspeccionar los libros, papeles, ó cuentas, excepto bajo las condiciones y con las formas prescritas por las leyes para los naturales del país.

Los ciudadanos ó súbditos de cada una de las dos Partes Contratantes en los dominios y posesiones de la otra tendrán libre acceso en los Tribunales para hacer valer y defender sus derechos sin otras condiciones, restricciones, ó contribuciones que las impuestas á los naturales del país, y, como estos, tendrán libertad para emplear en sus litigios los abogados, procuradores, ó agentes de entre las personas admitidas al ejercicio de estas profesiones, conforme á las leyes del país.

ARTICULO VII.

Los ciudadanos ó súbditos de cada una de las Partes Contratantes en los dominios y posesiones de la otra estarán exentos de todo servicio militar forzoso, ya en el ejército, la marina, ó la guardia nacional ó milicia. También estarán exentos de toda contribucion, sea pecuniaria ó en especie, impuesta en compensacion de servicios personales, y finalmente, de préstamos forzosos y de cargas, requisas y contribuciones de guerra, á menos que sean impuestas sobre la propiedad inmueble, en cuyo caso la pagarán en iguales términos que los nacionales.

ARTICULO VIII.

Los ciudadanos ó súbditos de cada una de las Partes Contratantes residentes en los dominios y posesiones de la otra gozarán, en sus casas, personas y propiedades, de la proteccion del Gobierno, tan completa y amplia como los ciudadanos ó súbditos de la nacion mas favorecida.

Igualmente los ciudadanos ó súbditos de cada una de las Partes Contratantes gozarán en los dominios y posesiones de la otra plena libertad de conciencia, y no serán molestados por razon de sus creencias religiosas.

ARTICULO IX.

Los ciudadanos ó súbditos de cada una de las Partes Contratantes tendrán, en los dominios y posesiones de la otra, los mismos derechos que los nacionales, ó que los súbditos ó ciudadanos de la nacion mas favorecida, respecto á patentes de invencion, marcas de fabrica y dibujos para objetos industriales, siempre que cumplan las formalidades prescritas por la ley.

ARTICULO X.

Cada una de las Partes Contratantes puede nombrar Cónsules-Generales, Cónsules, Vice-Cónsules, Pro-Cónsules, y Agentes Consulares para residir respectivamente en las ciudades ó puertos situados en los dominios y posesiones de la otra Potencia, reservándose cada una de ellas el derecho de exceptuar los lugares donde no le parezca conveniente admitirlos, siempre que esta excepcion se extienda á los funcionarios Consulares de todas las demas naciones.

Estos funcionarios Consulares, sin embargo, no entrarán en el ejercicio de sus funciones hasta despues de haber sido aprobados y admitidos en la forma usual por el Gobierno al cual han sido enviados. Ejercerán las funciones, y gozarán de los privilegios, exenciones, e inmunidades, cuales-

or may hereafter be, granted there to Consular officers of the most favoured nation.

The archives and official papers of Consular functionaries shall be respected as inviolable, without the authorities of the country being able, on any account, to seize them, or take note of their contents.

ARTICLE XI.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties, residing in the dominions and possessions of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XII.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled, by stress of weather or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to continue their voyage without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the Regulations and Tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground, or be wrecked within the territory of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast out of the ship, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them within the period fixed by the laws of the country; and such owners or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of customs unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XIII.

For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the United States of Mexico, it is agreed that, if at any time any interruption of friendly intercourse or any rupture should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of the

quiera que sean, concedidos ó que se concedan en lo sucesivo á los funcionarios Consulares de la nacion mas favorecida.

Los archivos y papeles oficiales de los funcionarios Consulares serán respetados como inviolables, sin que por ningún motivo puedan las autoridades del país embargarlos ni tomar conocimiento de ellos.

ARTICULO XI.

Los Cónsules-Generales, Cónsules, Vice-Cónsules, y Agentes Consulares de cada una de las Partes Contratantes, residentes en los dominios y posesiones de la otra, recibirán de las autoridades locales el auxilio que por la ley se les puede dar para recobrar los desertores de los buques de sus países respectivos.

ARTICULO XII.

Todo buque de guerra ó mercante de una de las Partes Contratantes que esté obligado, á causa de mal tiempo ó de accidente, á refugiarse en un puerto de la otra, estará en libertad para repararse allí, procurarse las provisiones necesarias y continuar su viaje sin pagar otros derechos que los que en casos semejantes se pagarán por un buque nacional. En caso, sin embargo, de que el capitán de un buque mercante tuviera necesidad de disponer de una parte de sus mercancías para cubrir sus gastos, estará obligado á conformarse con los Reglamentos y Tarifas del lugar á que haya llegado.

Si un buque de guerra ó un buque mercante de una de las Partes Contratantes encalla ó naufraga en el territorio de la otra, este buque y todas sus partes, su aparejo y pertenencias, todos los efectos y mercancías salvados de él, incluso los echados fuera del buque, ó sus productos si le han vendido, así como los papeles encontrados á bordo del buque encallado ó naufragado, serán entregados á los propietarios ó sus agentes, al ser reclamados por ellos en el término fijado por las leyes del país; y estos propietarios ó agentes pagarán solamente los gastos que se hayan causado en la conservación de la propiedad, así como el salvamento ú otros gastos que un buque nacional pagaría en igual caso de naufragio.

Los efectos y mercancías salvados del naufragio estarán exentos de todos los derechos de aduana, á menos que se destinen al consumo interior, en cuyo caso pagará los mismos derechos que si hubiesen sido importados en un buque nacional.

En el caso de que por razon de mal tiempo un buque se refugiare en un puerto ó encallare ó naufragare, los Cónsules-Generales, Cónsules, Vice-Cónsules, y Agentes Consulares, si el propietario ó capitán ú otro agente del propietario no están presentes, ó si están presentes y lo pidieren, estarán autorizados para intervenir á fin de impartir los auxilios necesarios á sus compatriotas.

ARTICULO XIII.

Para mayor seguridad del comercio entre los ciudadanos de los Estados Unidos Mexicanos y los súbditos de Su Majestad Británica, se conviene que, si desgraciadamente en algun tiempo se interrumpieren las relaciones amistosas ú ocurriese alguna ruptura entre ambas Partes Contratantes, los ciudadanos ó súbditos de una de las dos

said Contracting Parties who may be residing in the dominions or territories of the other, or who may be established there, in the exercise of any trade or special employment, shall have the privilege of remaining and continuing such trade or employment, without any manner of interruption, in full enjoyment of their liberty and property, so long as they behave peaceably and commit no offence against the laws; and their goods, property, and effects, of whatever description they may be, whether in their own custody or intrusted to individuals, or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like goods, property, and effects belonging to native subjects or citizens. Should they, however, prefer to leave the country, they shall be allowed to make arrangements for the safe keeping of their goods, property, and effects, or to dispose of them, and to liquidate their accounts; and a safe-conduct shall be given them to embark at the ports which they shall themselves select.

ARTICLE XIV.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

India.
The Dominion of Canada.
Newfoundland.
New South Wales.
Victoria.
South Australia.
Western Australia.
Queensland.
Tasmania.
New Zealand.
The Cape.
Natal.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Mexico to the Mexican Minister for Foreign Affairs within two years from the date of the exchange of the ratifications of the present Treaty.

ARTICLE XV.

Any controversies which may arise respecting the interpretation or the execution of the present Treaty, or the consequences of any violation thereof, shall be submitted when the means of settling them directly by amicable agreement are exhausted, to the decision of Commissions of Arbitration, and the result of such arbitration shall be binding upon both Governments.

The members of such Commissions shall be selected by the two Governments by common consent, failing which, each of the Parties shall nominate an Arbitrator, or an equal number of Arbitrators, and the Arbitrators thus appointed shall select an umpire.

The procedure of the arbitration shall in each case be determined by the Contracting Parties, failing which the Commission of Arbitration shall be itself entitled to determine it beforehand.

Partes Contratantes que residan en los dominios ó territorios de la otra, ó que allí estén establecidos ejerciendo el comercio ó empleados en otra ocupación, tendrán el derecho de permanecer y de continuar en su comercio ó ocupación, sin interrupción alguna, con el pleno goce de su libertad y propiedad, mientras se conduzcan pacíficamente y no contravengan las leyes; y sus bienes, propiedades, y efectos, de cualquiera clase que sean, ya estén en su poder ó confiados á particulares ó al Estado, no estarán sujetos á embargo ó secuestro, ni á otras cargas ú obligaciones que las que se impongan en bienes, propiedades y efectos análogos pertenecientes á los nacionales. Sin embargo, si prefiriesen salir del país, se les permitirá hacer los arreglos convenientes para la seguridad de sus bienes, propiedades, y efectos, ó para disponer de ellos y para liquidar sus cuentas; y se les dará un salvo-conduto para que se embarquen en los puertos que elijan.

ARTICULO XIV.

Las estipulaciones del presente Tratado serán aplicables á todas las Colonias y posesiones extranjeras de Su Majestad Británica, en cuanto lo permitan las leyes, exceptuando las que en seguida se designan, es decir, excepto—

La India.
El Dominio de Canadá.
Terranova.
Nueva Gales del Sur.
Victoria.
Australia Meridional.
Australia Occidental.
Queensland.
Tasmania.
Nueva Zelanda.
El Cabo.
Natal.

Sin embargo, las estipulaciones del presente Tratado serán aplicables á cualquiera de las expresadas Colonias ó posesiones extranjeras en cuyo favor se dé noticia para este efecto por el Representante de Su Majestad Británica en México al Secretario de Relaciones Exteriores de la República Mexicana, dentro de dos años contados de la fecha del canje de las ratificaciones del presente Tratado.

ARTICULO XV.

Las controversias que se susciten sobre la interpretación ó ejecución del presente Tratado, ó sobre las consecuencias de alguna violación de él, se someterán, cuando se agoten los medios de arreglo directo por convenios amistosos, á la decisión de Comisiones de Arbitraje, y el resultado de este arbitraje será obligatorio para ambos Gobiernos.

Los miembros de estas Comisiones serán nombrados de común consentimiento por los dos Gobiernos; y no estando de acuerdo, cada una de las Partes nombrará un Arbitro, ó un número igual de Arbitros, y los Arbitros así nombrados designarán un tercero para el caso de discordia.

Las Partes Contratantes determinarán en cada caso el procedimiento del arbitraje, y no estando de acuerdo, la Comisión de Arbitraje estará facultada para determinarlo de antemano.

The
during
exchang
of the
notice,
said p
termina
force un
on whi
have gi

The
Majest
and by
States
exchang

In
tentari
thereto

Donc
the tv
thousa

ARTICLE XVI.

The present Treaty shall continue in force during ten years, counted from the day of the exchange of the ratifications; and in case neither of the two Contracting Parties shall have given notice, twelve months before the expiration of the said period of ten years, of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice.

ARTICLE XVII.

The present Treaty shall be ratified by Her Majesty the Queen of Great Britain and Ireland, and by his Excellency the President of the United States of Mexico, and the ratifications shall be exchanged at Mexico as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done, in two originals, at the City of Mexico, the twenty-seventh day of November, one thousand eight hundred and eighty-eight.

(L.S.) SPENSER ST. JOHN.

(L.S.) EMILIO VELASCO

ARTICULO XVI.

El presente Tratado durará diez años, contados desde el día del canje de las ratificaciones, y en caso de que ninguna de las dos Partes Contratantes haya dado noticia, doce meses ántes de la espiracion de dicho período de diez años, de su intencion de terminar el presente Tratado, continuará en vigor hasta la terminacion de un año contado desde el día en que una de las Partes Contratantes dé esta noticia á la otra.

ARTICULO XVII.

El presente Tratado será ratificado por su Excelencia el Presidente de los Estados Unidos Mexicanos, y por Su Majestad la Reina de la Gran Bretaña é Irlanda, y las ratificaciones se canjearán en México tan pronto como sea posible.

En testimonio de lo cual los respectivos Plenipotenciarios han firmado y sellado.

Hecho, en dos originales, en la Ciudad de México, el día-veintisiete de Noviembre, de mil ochocientos ochenta y ocho.

(L.S.) SPENSER ST. JOHN.

(L.S.) EMILIO VELASCO.

*Examples of United States' Public Documents and Acts of Congress
in which Sealing is described as "Fishery."*

- (1.) 1832, July 10. Despatch from United States' Chargé d'Affaires to the Buenos Ayres Minister on the subject of the seal fishery of Malvinas, Falkland Islands.
Throughout letter the term of "fishery" is employed.
British and Foreign State Papers by Hertales, vol. xi, p. 349.
- (2.) 1871. "Fur-seal fisheries, Alaska. Letter from the Secretary of the Treasury, transmitting copy of Report by Special Agent in charge of the fur-seal fisheries at the Islands of St. Paul and St. George, Alaska."
1874. An Act of Congress approved on the 22nd April provided for a Report on "the present condition of the seal fisheries of Alaska; the haunts and habits of the seal; the preservation and extension of the fisheries as a source of revenue to the United States, with like information respecting the fur-bearing animals of Alaska generally; the statistics of the fur trade and the condition of the people or natives, especially those upon whom the successful prosecution of the fisheries and fur trade is dependent."
- (3.) 1876. "Seal fisheries of Alaska. Letter from the Secretary of the Treasury, transmitting, in response to a Resolution from the House of Representatives, information relating to the seal fisheries in Alaska."
H. of R., 44th Cong., 2nd Sess., Ex. Doc. 83.
- (4.) 1889. "Fur-seal fisheries of Alaska. (29th January, 1889.—Recommitted and ordered to be printed.) Mr. Dunn, from the Committee on Merchant Marine and Fisheries, submitted the following Report." . . . "The Committee was directed to investigate the fur-seal fisheries of Alaska, and all contracts or leases made by the Government with any person or Companies for the taking of fur-seals or other fur-bearing animals in Alaska, . . . and to fully investigate and report upon the nature and extent of the rights and interests of the United States in the fur-seals and other fisheries in Bering Sea in Alaska," &c.
- (5.) 1889. "Message from the President of the United States, transmitting, in response to Senate Resolution of the 2nd January, 1889, a Report upon the seal fisheries in Bering Sea."
United States' Senate, 50th Cong., 2nd Sess., Ex. Doc. 106.
- (6.) 1890. "Seal fisheries of Behring Sea. Message from the President of the United States, transmitting a letter from the Secretary of State, with accompanying papers, touching the subjects in dispute between the Government of the United States and the Government of Great Britain in the Behring Sea, including all communications since the 4th March, 1889."
H. of R., 51st Cong., 1st Sess., Ex. Doc. 459.
- (7.) 1889, March 2. An Act making appropriations for civil expenses of Government for the year ending the 13th June, 1890.
"Alaskan seal fisheries," for salaries, &c., at seal fisheries in Alaska, as follows:—
For one agent, 3,650 dollars, &c.
- (8.) 1890, March 7. The Bill and the Act founded upon it under which Mr. Elliott was appointed the Special Agent for the purpose of collecting information on the condition of the "seal fisheries of Alaska."
51st Cong., 1st Sess., H. R., 7903.
- (9.) 1891 "Seal fisheries of Behring Sea. Message from the President of the United States transmitting a letter from the Secretary of State submitting the official correspondence between the Government of the United States and the Government of Great Britain, touching the seal fisheries of the Behring Sea since the 19th July last."
H. of R., 51st Cong., 2nd Sess., Ex. Doc. 144.
- (10.) 1892, March 28. Letter to Secretary of United States with reference to Senate Resolution of the 28th March, 1892.
52nd Cong., 1st Sess., Ex. Doc. 73.
-

Statements made by certain Witnesses in the United States' Case respecting the Pribyloff Islands, &c., compared with those previously made by the same persons in Official Reports.

PROFESSOR J. A. ALLEN, a Curator in the American Museum of Natural History, whose acquirements and credentials will be found very fully set forth on p. 365 of the Appendix to the United States' Case, and who is the author of the well-known "Monograph on the North American Pinnipeds," furnishes, at the request of the Secretary of State of the United States, a Special Report on the pinnipeds, with particular reference to the fur-seals. This forms part of Vol. I of the Appendix, and is frequently quoted in the Case. Without entering into minor points of criticism on this article, which, in so far as it related to the habits, &c., of the fur-seal, is practically a replica of the Report of the United States' Commissioners, it may be of interest to place side by side a few parallel statements derived from this Report prepared by request, and the previously written "Monograph" of the same author. The date of the "Monograph" is 1880.

Monograph of 1880.

1. "The pinnipeds, or *Pinnipedia*, embracing the seals and walruses, are commonly recognized by recent systematic writers as constituting a sub-order of the order *Ferae*, or carnivorous mammals. They are, in short, true *Carnivora*, modified for an aquatic existence, and have consequently been sometimes termed "Amphibious Carnivora." Their whole form is modified for life in the water, which element is their true home. Here they display great activity, but on land their movements are confined and laboured. They consequently rarely leave the water, and generally only for short periods, and are never found to move voluntarily more than a few yards from the shore. Like the other marine mammalia—the *Ucetacea* and *Sirania* (whales, dolphins, porpoises, manatees, &c.)—their bodies are more or less fish-like in general form, and their limbs are transformed into swimming organs. As their name implies, they are fin-footed. Generally speaking, the body may be compared to two cones joined basally. Unlike the other marine mammals, the pinnipeds are all well clothed with hair, while several of them have underneath the exterior coarser hair a thick, soft, silky under-fur. In contrasting them with the ordinary or terrestrial mammals, we note that the body is only exceptionally raised, and the limbs are confined within the common integument to beyond the knees and elbows, and are hence to only a slight degree serviceable for terrestrial locomotion.—(Op. cit., p. 1.)

"The existing pinnipeds contain three very distinct minor groups or families, differing quite widely from each other in important characters: these are the walruses or *Odobenidae*, the eared seal or *Otaridae*, and the earless seals or *Phocidae*"

[117]

Article in Appendix I to United States' Case, 1892.

1. "The common seals, the eared seals, and the walruses form a well-marked group of the carnivorous mammalia, constituting a sub-order (*Pinnipedia*) of the order *Carnivora*. They are carnivores specially modified for aquatic locomotion and sub-aquatic life. Their ancestors were doubtless land animals, probably more nearly allied to the bears than to any other existing mammals. They are still dependent on the land or on fields of ice for a resting-place, to which they necessarily resort to bring forth their young. They are thus very unlike the sea-cows, and the whole tribe, which are strictly aquatic, bringing forth in the water, and entirely unfitted for locomotion on land" (p. 368).

Compare also, on "the true home" of the fur-seal passage quoted below from p. 405.

After stating that the first two groups are the more nearly allied, and that the *Phocidæ* may be contrasted with these, being the lowest group, Professor Allen adds: "The limb structure, the mode of life, and the whole economy are essentially the same in the two groups" (p. 2).

2. North Pacific Fur-Seal.

"Habitat—shores of the North Pacific from California and Japan (Peters) northward" (p. 210).

3. "Except during the season of reproduction these animals appear to lead a wandering life, but the extent and direction of their migrations are not yet well known. Steller spoke of their migrations as being as regular as those of the various kinds of sea-fowls, and they are recorded as arriving with great regularity at the Pribyloff Islands; but where they pass the season of winter is still a matter of conjecture" (p. 335).

4. Under the heading "*Callorhinus Ursinus*—Northern Fur-seal" is the following statement:—

"The fur-seal is well known to have been formerly abundant on the western coast of North America, as far south as California, but the exact southern limit of their range I have been unable to determine.

"Captain Scammon spoke of having seen them 'on one of the San Benito Islands, on the coast of Lower California, and many beaches were found fringing gullies where (fur) seals in large numbers formerly gathered, and as they had plenty of ground to retreat upon, the sealers sometimes drove them far enough back to make sure of the whole herd, or that portion of them the skins of which were desirable.' He also states that the fur-seal and sea-elephant once made the shores (of Guadalupe Island) a favourite resorting-place, and refers to their former occurrence on Cedros Island in latitude 28°" (p. 332).

5. Man, of course, stands first in importance as an enemy of the fur-seal, but under the restrictions respecting the killing of these animals now enforced at the Pribyloff Islands, does not appear to have a very marked influence in effecting their decrease" (p. 381).

6. Professor Allen, quoting Mr. Recks, with special reference to the harbour seal, writes:—

"He adds that it is only in the spring of the year that this seal will 'float' when killed in the water, but says that he has never seen a seal so poor, which if killed *dead on the spot* would not have floated from five to ten seconds, or long enough to give 'ample time for rowing alongside, supposing the animal to have been killed by shot, and the boat to contain two hands'" (p. 597).

Again, referring to the bearded seal, he quotes Kumlien as follows:—

"In July during the moulting time their stomachs contained nothing but stones, some of

"Habitat—the islands in Behring Sea, at present chiefly the Pribyloff and Commander Islands, migrating southward in winter along the American coast to California, and along the Asiatic coast to the Kurile Islands" (p. 372, Appendix I).

3. "The true home of the fur-seals of the eastern waters of the North Pacific and Behring Sea is the Pribyloff group of islands in Behring Sea. It is to these islands that seals repair annually to breed, and there is no evidence that they breed elsewhere than on these islands. It is evident, from what we know of seal life elsewhere, that were the climate sufficiently mild in winter, they would undoubtedly pass the whole year at these islands. Owing, however, to the inclemency of the winter months, the fur-seals are forced to migrate southward in search of food and a milder climate."—(Appendix I, p. 405.)

4. "Since fur-seal breeding rookeries are reported to have formerly existed on some of the small islands off Southern California, it has been assumed that they were a portion of the Pribyloff herd which sometimes remained south to breed. Such an assumption is entirely opposed to what is known of the habits and distribution of marine life and the well-grounded principles of geographic distribution, viz, that a fur-seal breeding on an Arctic island, which it annually travels thousands of miles to reach, would also choose for a breeding station an island in sub-tropical latitude. Fortunately, the rebuttal of this assumption does not depend upon the generalizations of the naturalists, since specimens have recently been obtained from Guadalupe Island which show that while a fur-seal formerly occurred there, and is still sometimes found there in small numbers, it is not only not the Pribyloff species, but a seal belonging to a different genus, HITHERTO ONLY KNOWN AS AN INHABITANT OF THE SOUTHERN HEMISPHERE" (p. 406).

5. "The history of the Pribyloff fur-seal herd shows that for a period of about fifteen years it was possible to kill for commercial purposes 100,000 male seals annually with not only no recognizable decrease nor deterioration of the herd, but apparently a decided increase up to about the year 1880" (p. 407).

6. "Only such seals as are instantly disabled can be secured, and even many of these must be lost, since the specific gravity of a dead seal is greater than that of the water in which it is killed" (p. 409).

them nearly of a quarter-pound weight. They seemed to eat nothing during the entire time of shedding, probably six weeks. Certain it is that they lose all their blubber, and by the middle of July have nothing but 'white horse,' a tough, white, somewhat cartilaginous substance, in place of blubber. At this season they sink when shot" (pp. 571-672).

Extracts from Reports and Evidence of Captain Charles Bryant (1869-76).

1. "The pups are about five weeks old when the old females go off to feed."—"On Eared Seals," p. 103.)

"From that time [after being served] she lies either sleeping near her young or spends her time floating or playing in the water near the shore, returning occasionally to suckle her pup."—"Monograph of North American Pinnipeds," p. 386.)

"The females go into the water to feed when the pups are some 6 weeks old."—(Senate, 41st Congress, 2nd Session, Ex. Doc. No. 32, p. 5.)

"The females, after giving birth to their young, temporarily repair again to the water."—"Monograph of North American Pinnipeds," p. 386.)

2. "When once in the water the young seals soon appear to delight in it, spending most of their time there in play, tumbling over each other like shoals of fish."—(Monograph of North American Pinnipeds, p. 387.)

3. "Thus they remain until October, when the oldest and strongest begin to leave for the winter, and others soon follow."—"Monograph of North American Pinnipeds," pp. 387, 388.)

4. "The fur-seals resort to the Pribyloff Islands during the summer months for the sole purpose of reproduction. Those sharing in these duties necessarily remain on or near the shore until the young are able to take to the water. During this considerable period the old seals are not known to take any food."—"On Eared Seals," p. 95.)

"The beach-masters leave the islands in August and September."—(H. R., 44th Congress, 1st Session, Ex. Doc. No. 83, p. 177.)

"In November the young seals stop to rest for a few days on the Aleutian Islands, where several hundred are annually killed by the natives."—(Senate, 41st Congress, 2nd Session, Ex. Doc. No. 32, p. 5.)

5. "About the 20th July the great body of the previous year's pups arrive and occupy the slopes with the younger class of males, and they continue to be mixed together during the remainder of the season. The 2-year-old females, which pair with the young males in the water near the island, also now associate with the other females."—"On Eared Seals," p. 102.)

6. "At this stage they [the female pups] leave the island for the winter, and very few appear to return to the island until they are 3 years old, at which age they seek the males for sexual intercourse. On the other hand, the males return the following year with the mature females. . . . But the young females, as already stated, are not seen

1. "The pup is nursed by its mother from its birth as long as it remains on the islands, the mother leaving the islands at different intervals of time after the pup is 3 or 4 days old."—(United States' Case, Appendix, vol. ii, p. 5.)

2. "By the 1st September nearly all the pups have learned to swim, and until the time of their departure from the islands spend their time both on land and in the water, but by far the greater portion of their time is spent on land."—(United States' Case, Appendix, vol. ii, p. 5.)

3. "The time they [the young] leave the islands is generally the middle of November, but the weather is the true mark of such departure, they seeming unwilling to stay after the first snow or sleet comes."—(United States' Case, Appendix, vol. ii, p. 5.)

4. "Providing the conditions were the same on the islands the year round as they are in the summer, and providing the food supply was sufficient in the immediate vicinity of the islands, I think the seals would remain on or about the islands during the entire year. The seals evidently consider these islands their home, and only leave them by reason of lack of food and inclement weather."—(United States' Case, Appendix, vol. ii, p. 5.)

5. "Returning again, this time as '2-year-olds,' the males go upon the hauling-grounds with the bachelor seals, and the females land on the breeding rookeries. It is probable that the females of this age are fertilized by the bulls, and leave the islands in the fall pregnant."—(United States' Case, Appendix, vol. ii, p. 6.)

6. "On returning the third year the young male goes again upon the hauling-grounds, and the female to the rookeries, where she brings forth one pup."—(United States' Case, Appendix, vol. ii, p. 6.)

in numbers until they are 3 years old, when they arrive in the height of the breeding season."—("Monograph of North American Pinnipeds," pp. 401, 402.)

"The masters and officers of these schooners [of the Alaska Commercial Company], who are familiar with the seals, say they see small groups of small (apparently 1- and 2-year-old) seals at all times during July and August. These, I think, may be young females, which, as already stated, do not visit the island till they are 3 years old."—("Monograph of North American Pinnipeds," p. 411.)

7. "Copulation, described more fully later, usually takes place in the water."—"On Eared Seals," p. 96.)

"Owing to the position of the genital organs, however, coition on land seems to be not the natural method, and only rarely, perhaps in three cases out of ten, is the attempt to copulate under such circumstances effectual. In the meantime, the 4- and 5-year-old males are in attendance along the shore. When their jealous lord is off his guard, or engaged in driving away a rival, the females slip into the water, when an attentive 'bachelor' seal follows her to a distance from the shore. Then breast to breast they embrace each other, turning alternately for each other to breathe, the act of copulation sometimes continuing from five to eight minutes."—"On Eared Seals," p. 100.)

"I have seen the male deliberately turn the female on her back and copulate in that manner. This, however, happens more frequently in the water than on land. It is often observable that while females are landing in great numbers they come in heat faster than the males on the rookeries can cover them. In such cases some of the females break away and escape into the water to meet fresher and more vigorous mates. It is in this way that the class of young males of 4 or 5 years of age perform a most important service.

"Since 1874, owing to the decrease in the number of breeding males, a much larger proportion of the females receive the males in the water, so that on any still day after the 20th July, by taking a canoe and going a little off shore, considerable numbers may be seen pairing, and readily approached so near as to be fully observed. They are then found in single pairs, swimming in circles, sometimes the one, sometimes the other leading. They come together in approaching the surface from below, the male shooting on to the back of the female, and firmly clasping her between his fore-flippers. The time of contact is shorter than on land, not exceeding five minutes, but the operation is repeated two or three times at intervals of fifteen or twenty minutes."—"Monograph of North American Pinnipeds," pp. 405, 406.)

"While sufficiently developed to be fully able to serve the females, they lack the physical strength to successfully contend for a place on the rookery. They haul up with the bachelors at night, but during the day are in the water swimming along the shore of the rookery, always on the alert for the females that seek the water as above stated. On meeting them they immediately accompany them to a little distance from the shore, and then perform the act of coition. The females, after remaining for a short time in the water, again return to the shore to their former places. The old males, finding they have been served, express their disgust in a most evident

7. "In watching the seals while swimming about the islands I have seen cases where they appeared to be copulating in the water, but I am certain, even if this were the case, that the propagation of the species is not as a rule effected in this way, the natural and usual manner of coition being on land."—(United States' Case, Appendix, vol. ii, p. 6.)

manner."—("Monograph of North American Pinnipeds," p. 386.)

"All of the seals between 4 and 6 years of age pass a large portion of their time during the day in the water, returning to the shore at night. While in the water they swarm along the shore of the breeding-places watching for opportunities of mating with any females that may chance to be in the water."—("Monograph of North American Pinnipeds," p. 388.)

"Owing to the large number of young males constantly in the water about the rookeries, in addition to the beach-masters, all the females were impregnated before the 10th August."—("Monograph of North American Pinnipeds," p. 390.)

8. "As soon as the males in the line nearest the shore get each seven or eight females in their possession, those higher up watch their opportunity and steal them from them. . . . In the average there are about fifteen females to one beach-master."—("Monograph of North American Pinnipeds," p. 385.)

9. In his Report to the Secretary of the Treasury, dated the 11th October, 1875, Mr. Bryant says:—

"The stock of breeding bulls has decreased by less from age and other causes so much faster than there has been young seals grown to replace them, that its present condition is only equal to the present demand, and the stock of half-bulls, or those to mature in the next two years, is not sufficient to meet the wants of the increase in the females. Under these circumstances, I feel it my duty to recommend that for the next two years the number of seals to be taken for their skins be limited to 85,000 per annum."—(H. R., 44th Congress, 1st Session, Ex. Doc. No. 83, p. 178.)

"At the usual time, however, 15th June [1873], the rookeries were occupied by the beach-masters, but there were a smaller number to a given area than formerly, the great body of the reserves of 1869 having become reduced one-half."—("Monograph of North American Pinnipeds," p. 393.)

10. "It was also apparent that the killing of so many half-bulls the two previous years had reduced to a minimum the number that hovered in the vicinity of the breeding rookeries, keeping the beach-masters in continual alarm."—("Monograph of North American Pinnipeds," p. 394.)

"The rapid decrease of the reserves, with the attendant changes in the movements of the seals, caused considerable anxiety. The wise ones among the natives shook their heads ominously, and said they had predicted this from the slaughtering so many half-bulls during the previous three years. I felt this, but could not order differently, the Company having the right to select their own animals."—("Monograph of North American Pinnipeds," p. 395.)

"Since 1874, owing to the decrease in the number of breeding males, a much larger proportion of females receive the males in the water."—("Monograph of North American Pinnipeds," p. 405.)

"A residence of seven successive seasons on the island, in charge of these animals, has furnished me with the desired opportunity for determining this surplus product by actual study of their habits and requirements, and the result is the killing of 100,000 per annum does not leave a sufficient number of males to mature for the wants of the increase in the number of females."—(H. R., 44th Congress, 1st Session, Ex. Doc. No. 83, p. 175.)

"Thus it will be seen the method of killing does

[117]

8. "The average seen at one time while I was on the islands was from fifteen to twenty to a bull. . . . I am of the opinion that a bull could, if necessary, serve 75 to 100 cows during a season."—(United States' Case, Appendix, vol. ii, p. 6.)

9. "During my observation only one class of bachelor seals on the islands showed any deficiency in numbers, and I accounted for this fact in my Report to the Secretary of the Treasury, dated the 5th September, 1872, from which I quote: ' . . . There is now only a deficiency of one class, that of 4- and 5-year-old seals.' "—(United States' Case, Appendix, vol. ii, p. 7.)

10. "The whole time I was there there was an ample supply of full-grown vigorous males sufficient for serving all the females on the islands, and every year a surplus of vigorous bulls could always be found about the rookeries awaiting an opportunity to usurp the place of some old or wounded bull, unable longer to maintain his place on the breeding islands."—(United States' Case, Appendix, vol. ii, p. 7.)

not admit of the setting apart of a special number and taking the remainder for the quota for market, and the only possible way to preserve the requisite number for breeding purposes is to restrict the number to be killed so far within the product as to insure enough escaping for this object. When the lease was put in practical operation in 1871, there was a very large excess of breeding males on hand; since then this surplus has been diminished by the dying out of the old seals faster than there has been younger seals allowed to escape and grow up to fill their places until the present stock is insufficient to meet the necessities of the increasing number of breeding females."—(H. R., 44th Congress, 1st Session, Ex. Doc. No. 83: pp. 176, 177.)

11. After referring to a severe gale, accompanied with snow, that swept over the Seal Islands 30th October, 1876, which drove all the seals into the water, says: "Only a comparatively small number returned again to the shore. Among these were large numbers of females which had lost their young, and for several days they went about the breeding-grounds plaintively calling for their pups. In November, when the time had arrived for driving the young seals to kill for the supply of winter food for the natives, it was found that only half the number (5,000) requisite for that purpose could be obtained. Undoubtedly great numbers of the young seals which were driven to the water by the storm must have become separated from their parents and lost."—("Monograph of North American Pinnipeds," p. 397.)

"When the sun shines for two or three hours, and the rocks become heated, there are occasional deaths among the beach-masters and very young pups from sunstroke. . . . Fortunately these occurrences are rare, and it was only in 1874 that any appreciable number were lost from this cause. That year many young seals died about the 1st of August."—("Monograph of North American Pinnipeds," p. 408.)

12. "These hauling-grounds are swept and driven two or three times a week during the months of June and July, and the prime seals culled out for killing, and every seal growing up has to run this gauntlet for his life his second, third, and fourth year, before he escapes to grow up as a breeding bull."—(H. R., 44th Congress, 4th Session, Ex. Doc. No. 83, p. 176.)

13. "These beaches occupied by the intermediate ages, from 1 to 6 years, together with the few superannuated ones. . . . These seals, as they lie on the beaches, are surprised by the hunters, cut off from the water, and driven inland in droves to the salt-houses, where they are separated into groups of sixty or seventy at a time and surrounded by the sealers with their clubs. Under the direction of the Chief, the prime seals are selected and killed, and those too young or too old are allowed to go into the water and return to the hauling-ground again."—(H. R., 44th Congress, 1st Session, Ex. Doc. No. 83, p. 176.)

11. "I do not think that while I was there I saw in any one season fifty dead pups on the rookeries, and the majority of dead pups were along the shore, having been killed by the sea."—(United States' Case, Appendix, vol. 3, p. 83.)

12. "The driving and killing of bachelor seals was always carried on in the most careful manner, and during my stay upon the islands there was practically no injury caused to seal life by over-driving. . . . Redriving of the growing males from the various hauling-grounds was made at intervals of several days, and did not cause them any injury; and I am thoroughly satisfied that there was not a single instance in which the vitality of a seal was destroyed or impaired by redriving."—(United States' Case, Appendix II, p. 8.)

13. "In all cases, at suitable intervals and before driving to the killing-ground, the herd was halted, and the males of 5 years old or older were allowed to escape."—(United States' Case, Appendix II, p. 8.)

Stephen N. Bugnitsky (1870-72).

1. "They [the natives] subsist mostly on cod and halibut and every description of fish they can find. They dry and preserve it for winter."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 12.)

1. "At the time I was on the islands I do not think there were any fish at all within 3 miles of the islands, and that the seals to feed had to go farther than that from the land. The belief is founded on statements made me by natives on the islands, and also from the fact that fresh fish were seldom eaten upon the islands."—(United States' Case, Appendix II, p. 21.)

Henry A. Glidden (1882-85).

1. "Q. What do you say about the increase or diminution of the number of seals on the rookeries of St. Paul and St. George?—A. I did not notice any change, but they vary in different years, in St. George particularly. . . . I could not see any particular difference."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 27.)

2. Does not speak of dead pups before Committee on Merchant Marine and Fisheries, in 1888, but in answer to "Do you know anything of seals being killed in the water by unauthorized persons?" says "No, Sir."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 26.)

3. "Q. I would ask whether there are not trading-vessels which buy skins?—A. Yes, Sir, and seal skins; that is the great trouble we had—to watch marauders. That was more trouble than anything else."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 26.)

"Q. As agent of the Government, were you charged with the duty of looking after violations of the laws of the United States in Behring Sea by vessels and others?—A. Yes.

"Q. Was there much trouble in this respect?—A. Yes, Sir; a good deal sometimes.

"Q. By foreign vessels, by hunters of our country as well as foreigners?—A. Yes, Sir. There have been a number captured there.

"Q. What is the quest of these hunters? Do they hunt in the open sea, or do they attempt to hunt on these islands?—A. They come to seal islands in the night—on moonlight nights. We took a vessel loaded with seals while they were on the islands. We got into the vessel and took possession of it while they were on the islands killing seals."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 28.)

George Wardman (1881-85).

After having told the Committee in 1888 that he had measured all the rookeries carefully, Wardman was asked—

"Q. Do you put it [the number of seals] at the same numbers annually?—A. About. I think the breeding seals on the rookeries come in about the same numbers."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 39.)

No reference to increase anywhere in evidence before House of Representatives Committee.

Raids referred to in H. R. Report No. 3883, 50th Congress, 2nd Session, pp. 34, 35, 38, 39.

1. "I am unable to state whether the seals increased or not during my residence on St. Paul, but they certainly did not decrease, except, perhaps, there was a slight decrease in 1884."—(United States' Case, vol. ii, p. 109.)

2. "I never noticed or examined dead pups on the rookeries before 1884, the number being so small, but that year examined them. . . . In my judgment they were starved to death because their mothers had been killed while away from the islands in search of food."—(United States' Case, p. 110.)

3. "Raids on the rookeries by marauders did not, while I was on the islands, amount to anything, and certainly seal life was not affected to any extent by such incursions. I only knew of one raid upon St. Paul Island while I was there. It was a Japanese vessel, and they killed about 100 seals, the carcasses of which we found on board when we captured the seals."—(United States' Case, p. 111.)

"I made careful examination of the rookeries each year, and after the first year I compared my yearly observations, so that I might arrive at some conclusion as to whether it was possible and expedient to increase our portion of the quota of skins to be taken on St. George Island without injuriously affecting seal life there. I am satisfied, from my observations, that the breeding-grounds on St. George covered greater areas in 1884 than in 1881, and that seal life materially increased between those dates."—(United States' Case, vol. ii, p. 178.)

No mention is made of raids in printed affidavit.

W. B. Taylor (1881).

1. "So far as our observation went, and from what we knew from information obtained from those who had been there a number of years, the rookeries were at this time [1881] about as full as they ever were."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 44.)

2. "Q. When does the young seal first go to the water?—A. I do not think I can be accurate in any statement as to that; I did know."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 55.)

3. "Sometimes young seals will come about the village, as playful, so far as anything of that kind is concerned, as a cat or dog would be, but of course you cannot domesticate them, because they will not eat anything outside of the sea."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 55.)

4. "I believe that the capacity of the bull seal is limited the same as any other animal, and I have frequently counted from thirty to thirty-five, and even at one time forty-two cows with one bull. I think if there were more bulls there would be less cows to one bull, and in that way the increase would be greater than now."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 59.)

5. "These vessels will take occasion to hang around the islands, and when there is a heavy fog to go to the rookeries. Very often . . . As it is to-day these vessels come and kill 5,000, 10,000, 15,000 seal every year."—H. R., 50th Congress, 2nd Session, Report No. 3883, p. 54.)

1. "From carefully observing the grounds formerly occupied by breeding seals, as pointed out to me by the natives, and from statements made me by those on the island, I believe there were more seals on the islands in 1881 than in any one year previous to that time."—(United States' Case, vol. ii, p. 176.)

2. "From my observations I am convinced that a pup must be 6 or 8 weeks old before it can swim."—(United States' Case, vol. ii, p. 176.)

3. "I believe that a seal is naturally a land animal."—(United States' Case, vol. ii, p. 176.)

4. "It is my opinion that a bull is able to serve three to five cows a-day, and certainly over 100 a season."—(United States' Case, vol. ii, p. 177.)

5. "There was but one raid on the rookeries while I was there, and that took place on Otter Island."—(United States' Case, vol. ii, p. 177.)

T. F. Morgan (1868-69, 1874-87).

1. "Q. Were the rookeries in the last years of your visit as full as in the beginning?—A. There is a large increase in the number of animals since 1868, when I first went there. There is a large increase since 1874, when I went back. The breeding rookeries occupy more territory than they did then." [Evidence given in 1888.]—(H. R., 50th Congress, 2nd Session, Report No. 3883, pp. 68, 69.)

"Q. Then the result of your observations is that there has been an increase in numbers?—A. Yes, Sir."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 72.)

"There is no question but what these schooners have had an effect upon the rookeries in the last three years in the difference in the way the seals arrive. . . . There is no question in my mind but that a very large percentage of those animals taken near the shore are females."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 71.)

Nothing said here or anywhere else in evidence of dead pups being a resultant of the killing at sea. They are nowhere mentioned.

1. "In 1885, and in every year thereafter until I left in 1887, there was a marked decrease in the number of marketable skins that could be obtained in each year during the sealing season. We were able down to the last year [1887] to get our total catch of 100,000 seals, but in order to get that number we had to take what in previous years we would have rejected, namely, undersized skins, i.e., the skins of young seals. . . . In the years 1885, 1886, and 1887 my attention was attracted not only to a diminution in the number of killable seals appearing on the island, but to a decrease in the females as well. Up to 1884 the breeding-space in the rookeries had increased, and from that year down to 1887, when I left the island, the acreage covered by the rookeries which were occupied by seals constantly diminished."—(United States' Case, vol. ii, pp. 63, 64.)

"From the year 1884 down to the period when I left St. George Island there was a marked increase in the number of dead pups, amounting, perhaps, to a trebling of the numbers observed in former years, so that I would estimate the number of dead pups in the year 1887 at about 5,000 or 7,000 as a maximum." Attributes mortality to killing of mothers.—(United States' Case, vol. ii, p. 64.)

H. H. McIntyre (1870-89).

1. "The seals are found indiscriminately on the two islands; that is, seals born on St. George are found at St. Paul, and *vice versa*."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 128.)

2. Except in the vague assumption that when females are killed their young die, no reference is made in "Fur-Seal Fisheries of Alaska" to dead pups being found on rookeries.

3. "We had then [1873-82], and at all times until the marauding was actually engaged in, a large surplus of animals from which to make our selection. After 1883 [until 1882 sizes right, see above] the sizes decreased, and have constantly decreased ever since."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 118.)

4. "The fact is that the bachelor seals may be found to-day upon a certain rookery, and at another time upon another place. The result is the same animals, in many instances, have been counted two or three times."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 116.)

(See Morgan, H. R., 50th Congress, 2nd Session, Report No. 3883, pp. 71, 72, as to change in rookeries and hauling-grounds.)

5. "After 1883 the sizes decreased, and have constantly decreased ever since."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 118.)
And still the 100,000 were taken every year.

"Q. To what do you attribute this diminution in the size of the skins taken?—A. To the fact that after turning back our breeders a sufficient number of large male seals cannot be had on the islands to meet the requirements of our trade."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 119.)

6. "There are at present [1888] in my opinion, too few bull seals to keep the rookeries up to their best condition."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 117.)

"When we are left only exactly the number of bulls we need, and a few even of these are killed, it completely upsets our calculations, with the result of leaving too few of this class of animals to secure the full productiveness of the rookeries."—(H. R., 50th Congress, 2nd Session, Report No. 3883, p. 130.)

1. "The seals are migratory and return, as I believe, after migration to the vicinity and probably to the ground or rookery on which they were born."—(United States' Case, vol. ii, p. 40.)

2. Reference is made to dead pups having been found on the Pribiloff Islands in 1886, 1887, and 1888.—(United States' Case, vol. ii, p. 51.)

3. "In my judgment such depletion was caused by pelagic sealing, and that it grew greater from year to year as the number of so-called poaching-schooners increased; and that its effects began to manifest themselves about 1885 or 1886."—(United States' Case, vol. ii, p. 46.)

"During the three years following 1882, namely, 1883, 1884, and 1885, I was not upon the islands; that upon my return to said islands in 1886 I noticed a slight shrinkage in the breeding areas, but am unable to indicate the year of the period of my absence in which the decrease of breeding seals began."—(United States' Case, vol. ii, p. 45.)

"Up to 1882 there was no difficulty in procuring the required number of seals."—(United States' Case, vol. ii, p. 45.)

"This number [100,000] was easily secured every year from 1871 to 1885, and at the same time a constant increase in the seal rookeries was observed" (p. 48.)

4. "Yet their [the seals'] habits are so well defined and unvarying that it is an easy matter to determine whether they increase or decrease from year to year, because they always occupy the same portions of certain beaches, and simply expand or contract the boundaries of the rookeries as they become more or less numerous."—(United States' Case, vol. ii, p. 48.)

5. "I left the rookeries in 1882 in their fullest and best condition, and found them in 1886 already showing slight falling-off, and experienced that year for the first time some difficulty in securing just the class of animals in every case that we desired. We, however, obtained the full catch in that and the two following years, . . . but were obliged, particularly in 1888, to content ourselves with smaller skins than we had heretofore taken."—(United States' Case, vol. ii, p. 51.)

6. "While I was located upon the islands there was at all times a greater number of adult male seals than was necessary to fertilize the females who hauled upon said rookeries, and there was no time when there were not vigorous bulls on the rookeries who were unable to obtain female consorts."—(United States' Case, vol. ii, p. 45.)

J. H. Moulton (1877-85).

"I think during the first five years [1877-82] I was there there was an increase, and during the last three years [1883-85], there was no increase."—(H. R., 50th Congress, 2d Session, Report No. 3883, p. 255.)

Does not refer to dead pups in evidence before Committee.

"While on St. Paul Island [1881-84] I do not think the number of seals increased, and in the last year (1884) I think there was a slight decrease."—(United States' Case, Appendix, vol. ii, p. 71.)

"On St. Paul Island I never saw any dead pups to amount to anything until 1884, and then the number was quite noticeable."—(United States Case, Appendix, vol. ii, p. 71.)

Joseph Murray (1889-92).

Colonel Murray, in a letter addressed to Mr. Goff, and dated the 31st July, 1890, after describing a meeting held by the natives on St. George Island for the purpose of discussing the causes that lead to the decrease in the number of seals on that island, says: "The meeting was adjourned from time to time until they had thoroughly discussed the most important questions raised, and at the last meeting, held 23rd May, they unanimously declared that it was their firm belief and honest opinion that the seals had diminished, and would continue to diminish from year to year, because all the male seals had been slaughtered without allowing any to grow to maturity for use on the breeding-ground. I made a note of the suggestion on the journal of that day, and I am now fully convinced by personal observation that it is only too true, and that the natives were correct in every particular."—(Senate, 50th Congress, 2nd Session, Ex. Doc. No. 49, p. 8.)

"There is only one great cause of the decrease of the fur-seal, and that is the killing of the females by pelagic hunting. During my observations in 1890 I was led to believe that the decrease was partly due to the lack of bulls on the breeding rookeries, and I so reported to Agent Goff; but after thoroughly investigating the subject the next year by daily visits to the breeding-grounds of the several rookeries, where I saw nearly every cow with a pup by her side, and hundreds of vigorous bulls without any cows, I came to the conclusion that there was no truth in the theory, and that it was the cows that were scarce and steadily decreasing."—(United States' Case, Appendix, vol. ii, p. 74.)

(Note.—This reference applies to St. Paul Island, the earlier one to St. George Island.)

Charles A. Goff (1889-90).

"We closed the season by turning away 86 per cent. [of the seals driven], a fact which proves to every impartial mind that we were re-driving the yearlings, and, considering the number of skins obtained, that it was impossible to secure the number allowed by the lease, that we were merely torturing the young seals, injuring the future life and vitality of the breeding rookeries, to the detriment of the lessees, natives, and the Government."—(Senate, 50th Congress, 2nd Session, Ex. Doc. No. 90, p. 5.)

"It is evident that the many preying evils upon seal life, the killing of the seals in the Pacific Ocean along the Aleutian Islands, and as they come through the passes to the Behring Sea, by the pirates in these waters, and the indiscriminate slaughter upon the islands, regardless of the future life of the breeding rookeries, have at last with their combined destructive power reduced these rookeries to their present impoverished condition."—(Senate, 50th Congress, 2nd Session, Ex. Doc. No. 90, p. 5.)

"The prosperity of these world-renowned rookeries is fast fading away under the present annual catch allowed by law, and this indiscreet slaughter now being waged in these waters will only hasten the end of the fur-seals of the Pribyloff Islands."—(Letter from Mr. Goff to Mr. Windom, dated St. Paul Island, Alaska, 31st July, 1889.)

"A few seals are injured by re-driving (often conflicted with over-driving, and sometimes so called), but the number so injured is inconsiderable, and could have no appreciable effect upon seal life through destroying the virility of the male."—(United States' Case, Appendix, vol. ii, p. 113.)

"I believe that the sole cause of the decrease is pelagic sealing, which, from reliable information, I understand to have increased greatly since 1884 or 1885."—(United States' Case, Appendix, vol. ii, p. 112.)

"It was supposed at that time [early in the Russian régime] that the commencement of seal life on the Islands of Behring and Copper probably took place by reason of the indiscriminate killing on those islands [Pribyloff] diverting the seal from their usual haunts, and making them seek some other localities.

"Q. Was there a large number of seals which left the Pribyloff group and went over to the Russian islands?—A. You could hardly expect them to go in a body. There had hardly been sealing or seal life to any extent on the Commander Islands of Copper and Behring. It had not attracted the attention of the Russians, but after the indiscriminate killing on the Islands of St. Paul and St. George, it was noticed that seal life increased rapidly on the other islands, and the supposition is a natural one that they were diverted from the islands on which they had heretofore been undisturbed, and sought other places."—(H. R., 50th Congress, 2nd Session, Report 3883, pp. 77, 78.)

"There is no intermingling of the two herds of the Pribyloff and Commander Islands; may be so readily distinguished from each other that an expert would have no difficulty in at once throwing out from the catch taken on the Commander Islands any skins of the Pribyloff herd; and deponent understands, from persons who have had long experience in the examination of the living animals, that the two herds so differ as to belong to separate species of the same genus, and can readily be distinguished from each other."—(United States' Case, Appendix, vol. ii, p. 537.)

*Report by Mr. J. M. Macoun on Observations made by him in 1892,
particularly upon the Pribyloff Islands.*

No. 1.

*The Marquis of Salisbury to Mr. Macoun.**

Sir,

Foreign Office, May 13, 1892.

I HAVE to inform you that you have been selected by Her Majesty's Government to proceed to the Pribyloff Islands during the present sealing season for the purpose of making further observations and inquiries upon points on which information is required for the preparation of the British Case in the Behring Sea Arbitration.

Application has been made to the United States' Government for permission to you to visit and reside upon the Seal Islands, as stipulated in Article IV of the Convention signed at Washington on the 18th April, of which a copy is inclosed herewith, for your information.

A letter of permission for this purpose, addressed to the United States' authorities on the islands, has been delivered to Her Majesty's Minister at Washington, and by him forwarded to the Governor-General of Canada, from whom you will receive it. You will also receive from him instructions as to your movements and proceedings, the payment of your expenses while employed on this duty (which will be defrayed by the Government of the Dominion), the points to which your inquiries and observations should be directed, and the transmission of your Reports to him.

You will pay particular attention to any suggestions or requests which you may receive from Sir G. Baden-Powell and Dr. Dawson, Her Majesty's Commissioners for inquiring into the conditions of seal life in Behring Sea, and will forward to them any information which they may require, either directly or through the Governor-General as may be deemed most convenient.

Arrangements are being made for your conveyance to the Seal Islands on board one of Her Majesty's ships, but upon this point you will receive detailed information from the Governor-General.

I am, &c.
(Signed) SALISBURY.

No. 2.

Mr. Macoun to the Earl of Rosebery.

My Lord,

Foreign Office, January 14, 1893.

I HAVE the honour to report to your Lordship that, in accordance with instructions contained in a letter dated the 13th May, addressed to me by the Marquis of Salisbury, I, on the 5th June, 1892, embarked on Her Majesty's ship "Nymphé" at Victoria, British Columbia, and proceeded to Unalaska I at that place joined Her Majesty's ship "Melpomene," and was taken to St. Paul Island, one of the Pribyloff group, where I landed on the 30th June.

In accordance with Article IV of the Convention between Great Britain and the United States of America, permission to land on the islands had been sent me by the Secretary of the Treasury Department of the United States. Quarters were assigned me in the house occupied by the agents of the North American Commercial Company, and during my stay on the Pribyloff Islands both the agents of the United States' Government and of the Company gave me much valuable information and assisted me in many ways in the prosecution of my work.

During the months of July and August several short cruises were made by me

* In extension of short instructions sent to Canada, April 9, 1892.

on Her Majesty's ships "Melpomene" and "Daphne" either between St. Paul and St. George Islands, or between these islands and Unalaska, and one cruise of a week was made for the especial purpose of studying the habits of seals at sea; but the greater part of these two months was spent on the Pribyloff Islands in studying the habits of the seals and in making observations and inquiries upon points upon which further information was required for the preparation of the British Case in the Behring Sea Arbitration.

The last week of August and first weeks of September were spent in a cruise to the westward on Her Majesty's ship "Melpomene," during which I visited the Commander Islands and procured information to supplement that obtained by the British Commissioners in 1891.

After another visit to St. Paul Island in September I returned to Victoria, reaching that place on the 25th September.

Before leaving the Pribyloff Islands the Special Agents of the United States' Treasury Department prepared for me Tables showing the number of seals that had up to the date of my departure been killed for natives' food. These Tables I have the honour to inclose for your Lordship's information.

During the whole season it was important that when the work had been done in one place I should be at once conveyed to another, and though Captain A. Chase Parr, Her Majesty's ship "Melpomene," the Senior Officer detailed for service in Behring Sea, had no definite instructions to that effect, he was good enough to consult my wishes on this and other matters, and arranged that there should be at no time any delay. Without his active co-operation much valuable information would have been lost, and it would have been impossible to carry out my instructions as fully as I was enabled to do. Whatever success may have attended my inquiries is due in great measure to the assistance rendered me by Captain Parr.

In regard to the inquiries I was instructed to make, I have the honour to transmit my Report herewith for your Lordship's information.

I have, &c.
(Signed) JAS. M. MACOUN.

Inclosure in No. 2.

Report.

PURSUANT to instructions, I embarked on the Canadian Government steamer "Quadra" at Victoria, British Columbia, on the 9th May, 1892, and, after calling at Carmannah and Cape Beal, reached the East Haycock Islands at about 5 o'clock on the morning of the 11th May. These islands are a part of the Scott group, and lie off the north-west part of Vancouver Island, in north latitude 50° 48' and west longitude 128° 47'. I visited them in one of the ship's boats, and found the main island to rise perpendicularly from the water to a height of about 80 feet. The sea was too rough to permit of our landing, so that no examination of it could be made for the purpose of searching for evidence of seals having hauled out there. Several small rocks lie to the eastward of the larger island, and in the surf by one of these a few fur-seals were seen, one an old bull, the others either females or young males. Near a small rock to the westward of the larger island other fur-seals were seen, either females or young males. About one-third of a mile to the westward of this small rock were two larger ones, the nearer rising about 20 feet from the water, the farther about 40 feet. These were covered with sea-lions, there being not less than 500 on the first and 800 on the second.

West Haycock Island lies about 5 miles west by north of East Haycock Island, and is shown on the Admiralty Charts to be 180 feet in height. It was approached from the north, and at that end we saw several fur-seals, about a dozen in all. A landing was effected at one place on this island, but no examination of it could be made, as it was impossible to walk along the shore at that place, and the heavy surf prevented our landing elsewhere. The western side of the island was, however, followed in the boat for its entire length, about one-third of a mile, and fur-seals were seen all along it in groups of two or three, while at the southern end there was a group of eight or ten. These seals did not swim out to sea, but kept along shore, or escaped through some of the rocky channels that separate the islets that line it. A certificate to the above effect was signed by the men who were in the boat with me at this time, several of whom were familiar with fur-seals and their habits, and is appended to this Report.

A portion of West Haycock Island and all the islets that surround it are suited for the hauling-out of seals, as, while there is no beach and the shores are steep and rocky, the summits of the islets may easily be reached by the seals. It seems very probable that seals may haul-out there, but it was at the time of my visit too early in the season for them to have done so, and when next I passed these islands, late in September 1892, the weather was so rough that we could not go within several miles of them.

Triangle Island lies about 12 miles to the north-westward of West Haycock Island, and was visited the same day (11th May), but a landing could be effected in one place only. At this place the skull of a fur-seal was found. It lay several feet above high-water mark, but no other part of the skeleton could be discovered. The animal to which it belonged may have been blown ashore during a storm, but no drift wood was found as high above the water. Many hair-seals and fur-seals were seen about the islands, but more of the former than of the latter.

The following day (12th May) Virgin Rocks of the sea-otter group were reached. These lie in north latitude $51^{\circ} 16'$ and west longitude $128^{\circ} 15'$, and consist of a number of rocks, the largest less than 50 feet in height, and not over 100 yards in length; the extreme northern and southern islets or rocks are about half-a-mile apart. The one furthest to the south was visited first, and was found to be covered with sea-lions—several hundred of them. The largest island was then approached, and as the sea-lions by which it also was covered did not take alarm, a careful estimate was made of their number. The lowest count by any one in the boat was 2,000, so that I may safely say that there were at least that many there. No fur-seals were seen at that place or at Pearl Rocks and Watch Rock of the same group, which were afterwards visited. These rocks are in every way suitable for the hauling-out of seals, but the ground is quite occupied by sea-lions.

On the 13th May the "Quadra" struck a sunken rock at the entrance to Rose Harbour, at the south end of Queen Charlotte Island, and shortly afterwards sank. From Rose Harbour I went in one of the ship's boats to Inverness, at the mouth of the Skeena River, whence passage was procured to Victoria. I met at Inverness the Rev. Mr. Collinson, for many years a missionary among the Indians on that part of the coast. He told me that the Indians sometimes saw fur-seals a long way up Portland Canal, and that in February 1889 a great many young seals were taken there. In the description of the Seal Rocks in Portland Canal in the "British Columbia Pilot" occurs the following: "Many fur-seals seen on this cluster, August 1868."* Mr. Collinson had himself caught a fur-seal on the shore near Masset, Queen Charlotte Islands, in February; it lived three days. Indians, he said, often saw them ashore near that place.

I reached Victoria the 24th May, and while there Mr. Munsie told me that having heard that seals were abundant north of the French Frigate Islands in the early winter months, he dispatched a schooner—the "Mary Taylor"—on a cruise in these latitudes in November for the purpose of taking seals. The captain reported to him that between north latitude 30° and 40° , and in about the longitude of the Sandwich Islands, seals were seen for six weeks—in the latter part of November and December—but that the weather was too rough to permit of a boat being lowered, and no idea could be formed of the number of seals that might be found in fine weather. The chart on which the track of the "Mary Taylor" was laid down was shown me, and I saw that that part of it referred to by Mr. Munsie was marked to show that seals had been seen there. I was delayed there until the 5th June, when I embarked on Her Majesty's ship "Nymph," her Captain having been instructed to convey me to Unalaska. The first seals were seen, on the voyage northward, 6th June off Clayoquot Sound, Vancouver Island, and until we arrived at Middleton Island (15th June) seals in greater or less numbers were seen every day, though the loss of time consequent on the wreck of the "Quadra" resulted in my being quite too late to follow the main migration of seals to the northward and westward, as I had hoped to do.

I landed at Middleton Island and examined its shores thoroughly, but found no fur-seals there, nor any trace of their ever having been there. While at this island two hair-seals were shot from a steam-cutter, and though the boat was not easy to turn, both floated until they were secured.

Having heard that Port Etches, Hinchbrook Island, had been chosen as a rendezvous by the sealing schooners, that place was next visited. Seven schooners were found there, and I spent part of 16th June and the whole of 17th and 18th June in obtaining information from the hunters on these vessels. All were quite willing to

* See foot-note, p. 464.

answer questions, and I ascertained it to be their opinion that the seals had been found at sea in greater numbers along the coast in this spring (1892) than ever before; that more males had been taken than females; and that, including the losses of inexperienced hunters, not 5 per cent. of the whole number of seals killed or badly wounded are lost. From actual figures given me by these hunters individually I prepared a Table, and found that the number lost by them, by sinking before they could be recovered, was between 2 and 3 per cent.

On one of the schooners, the "Dora Seward," there was a young fur-seal that had been cut from its mother; it was at that time eight days old. At my request it was placed in the water. It swam about the schooner, attempting to climb up the side, but after six minutes its head began to sink, and when eight minutes in the water its mouth went under, and it was then taken on board the schooner. I learned at Victoria, several months later, that it had lived fourteen days only.

We left Port Etches on the evening of 18th June, and reached Unalaska 25th June. Though seals were in no place abundant, a few were seen every day.

After a short stay at Unalaska, I went on board Her Majesty's ship "Melpomene," and was landed at St. Paul Island 30th June, where I was given quarters by the agents of the North American Commercial Company, and every facility was offered me by them and the Special Agents of the United States' Treasury Department for the prosecution of my work.

I remained on St. Paul Island examining the rookeries there, and closely studying the habits of the seals, until the 11th July, when I again embarked on the ship "Melpomene," and reached Unalaska the following day. Learning there that the United States' cruiser "Mohican" would start for St. George Island the next day, I obtained passage on her, and was landed on that island the 14th July. Four days were spent there, and, in company with Mr. J. Stanley Brown, then in charge of the Pribyloff Islands for the United States, I visited all the rookeries and hauling-grounds on that island.

I arrived at Unalaska again on the 19th July, and was joined there by Mr. Maynard, of Victoria, British Columbia, who had been engaged to take a series of photographs for the purpose of showing the condition of the rookeries and hauling-grounds in 1892. With him I returned to St. Paul Island, and on the morning of the 22nd July the first photographs were taken. All the rookeries had been photographed by the 28th July; and on that day Mr. Maynard and I were taken to St. George Island, where five days were spent, and all the rookeries on that island were also photographed.

On the 3rd August H.M.S. "Melpomene" called for us, and on the evening of that day Mr. Maynard was landed on St. Paul Island, while I remained on the "Melpomene." The following week was spent in cruising to the westward and northward of St. Paul Island, for the purpose of determining at what distances from the islands seals were found in the greatest numbers. I returned to St. Paul Island on the 10th August, and from that date until the 24th August my time was occupied in noting the change in the formation of the rookeries, and the number of seals upon them, and in recording all facts of importance relating to seal life that came under my notice. Mr. Maynard during this time was employed in taking a last series of photographs, for the purpose of showing the increased area occupied by seals as the season advanced.

H.M.S. "Daphne" then conveyed Mr. Maynard and myself to Unalaska, where I rejoined the "Melpomene," while Mr. Maynard returned to Victoria.

Bad weather kept the "Melpomene" in Unalaska over the 26th August, but on the morning of the 27th we started on a cruise to the westward. No seals were seen after passing the 172nd meridian, but this was not to be wondered at, as we encountered a succession of gales which caused such a heavy sea that it was almost impossible to stand upon the deck of the ship; and though we cruized two days not far to the southward of the Commander Islands, and a whole day between Copper and Behring Islands, not a seal was even there seen in the water by any one.

A landing was effected on the 3rd September at Nikolski village, Behring Island. No Representative of the Russian Government was then on that island, but I had a long interview with the agent of the Fur Company. He told me that about the usual number of skins had been taken, 32,000, 16,000 on each island, and that he believed there was no decrease in the number of seals on Behring Island, though M. Grebnitsky (the Government Superintendent of the islands, then absent) had told him that on Copper Island a decrease had been noted.

The first sealing schooners had been seen about the islands almost as soon as the seals had appeared, and had continued taking seals the whole summer. I was informed by

the agent that much better skins were taken on Behring Island than on Copper Island, those from the latter island averaging from 6 to 8 lbs. only in weight.

Other facts learned at this place will be referred to under their proper headings.

From Behring Island we went to Karaginski Island, in latitude 59°, longitude 161° 30' east. Great numbers of hair-seals and young sea-lions were seen in the vicinity of this island, but no fur-seals. We were unable, however, on account of continued stormy weather, to go within 5 miles of the island. On the return trip to St. Paul Island we again encountered such bad weather that no look-out could be kept for seals. While the ship was laid to, between noon and 5 p.m. on the 9th September, many fur-seals were, however, seen swimming about in all directions. The ship's position at noon that day was latitude 58° 55', longitude 177° 8' west, about 240 miles from St. Paul Island.

St. Paul Island was reached at daylight the 11th September, and on that day a last visit was paid to all the rookeries on that island with the exception of those at North-east Point, and any changes in them were noted. The next day we left the island, and after a three days' delay at Unalaska, for the purpose of taking in coal, and another delay of two days at the Shumagin Islands while the ship's boilers were being overhauled, we reached Victoria on the 25th September.

The following general results of the observations made are grouped under headings corresponding as nearly as possible with those followed in the Report of the British Commissioners for 1891:—

Fish near the Breeding Islands.

When I landed at the village on St. Paul Island on the 30th June, cod and halibut were hanging before many of the natives' houses. In answer to my inquiry as to where they had been caught, I was told that they had been taken less than 3 miles from St. Paul Island, and between it and Otter Island.

Up to the 12th September, the date of my final departure from the Pribyloff Islands, natives went out fishing every fine Sunday, and, in fact, every day they were not engaged on work for either the Government or the Company, and good catches of fish were invariably made.

When on St. George Island the 17th July a great many cod were seen hung up to dry, and at dinner that day I asked the United States' Treasury Agents and the officers of the Company why they had not fresh fish on the table. I was told that they could be had in abundance whenever wanted, but that they were all tired of fish.

H.M.S. "Daphne," while I was on board of her, was anchored during the forenoon of the 21st July in 18 fathoms of water, one-third mile off Dalnoi Point, St. George Island, and cod, small halibut, and sculpin were caught in great numbers at this time.

A holiday was given the natives on St. Paul Island on Saturday, the 13th August, and many of them spent the day fishing. Their boats were in sight all day between and 3 miles off Lukannon rookery. They returned late in the afternoon with their boats half full of fish; there were many more cod than halibut, though the latter were much the larger fish. I asked the natives how far they went out for fish later in the season; they replied that they never had to go more than 5 miles from land to get all the fish they wanted, and that it was only in September that they went that far. I was taken to South-west Bay, St. Paul Island, by a crew of natives, on the 23rd August. During the brief time I was ashore they fished about half-a-mile off Zapadni rookery, catching two halibut and seven cod. These men told me that fish were always very plentiful near the island, but that until 1891 they had never had time during the summer months to catch them; when they were not driving or killing seals, there were the skins to salt and re-salt, the Company's ship to load or unload, and coal and provisions to be brought from the landing-place to the store-houses.

The next day salmon were seen in the lagoon near the village.

When anchored about a mile off Nikolski village, Behring Island, the 3rd September, a great many cod of small size—4 to 8 lbs.—were caught from the ship by the sailors, and at the village I learned that they were taken close to the island at all times. Salmon are to be got during the whole season in the river about 12 miles from Nikolski village, and at the village itself early in the season.

Mr. Baldwin, who has been on St. Paul Island several years, told me that small squid are very numerous close to the islands, and Mr. Townsend, who has in several

years been employed as a naturalist on the "Albatross" in Behring Sea, said more than once in my hearing that there was no part of Behring Sea that did not abound with them.

It is thus evident that should seals, whether males or females, require food during the time they resort to the islands (which has not been proved), it is to be had in abundance close to the rookeries, while it is further apparent that the "natives," with the exercise of but ordinary diligence on their own part, are in no way dependent on the slaughter of seals for food.

Virgin Cows.

While on the Pribyloff Islands in July and August of 1892 I endeavoured carefully to note everything that might throw light on the question as to when the virgin females first receive the males, and during that time did not see one female seal that was not either still carrying her young, or whose size did not show that she was of sufficient age to have already had a place on the breeding-grounds. In other words, I never saw a virgin female upon the breeding islands. Every female of small size that was seen moving about the rookeries or leaving the water was watched, and was without exception found either to go at once to some harem where she was plainly at home, or by her manner it was evident that she had young somewhere on the rookery. Very often, too, if watched until they lay down, it could be seen that their breasts were swollen as if full of milk, though this was by no means always the case. Not one cow concerning which I was left in doubt was seen on any rookery, and I feel certain that no virgin cow came ashore at these places.

Mr. J. Stanley Brown, who had been on the islands for some weeks before I reached them, told me (8th July) that he had been carefully watching a number of harems as they grew, and was certain that not one virgin cow had yet come ashore. He told me at this time that he was quite sure that these young females did not haul out with the "holluschickie," but spent the early part of the season in the water in front of the breeding-grounds and came out on them later on, and were then served either by the old bulls or by younger ones near the water. This explanation can hardly, however, be the true one, as were the virgin cows really in considerable numbers in front of the rookeries, they would be seen there at all times; but often, when the day was cold and cloudy, hardly a seal was seen in the water near the islands, though at other times it was black with them. Where are the young females when few seals are seen in the water?

Were it true that the young females are not served until late in the season, they would be either much later in bringing forth their young than the older cows, or they must carry their first young for a much shorter time than those of following years, which is scarcely credible. But two other solutions of the question seemed to me possible: one, that females do not come to the breeding islands, unless in very small numbers, until they arrive there to give birth to their first young; the other, that these two- or three-year-old females haul-out with the holluschickie, and are served by the older bachelors among them. Mr. Brown in August appeared to come to the latter conclusion, and even pointed out to me small seals among the holluschickie, which he asserted to be females. Though asked by me to shoot one or two of these small seals (as females had been shot by his orders a few days before at North-east Point for the purpose of determining whether they had been feeding), he declined to do so. Had this been done, these questions might at once have been decided.

After the harems had broken up, and many of the old bulls had left the rookeries, younger males were observed to come on them, and attempts at service were not uncommon, even by very young bulls, three or four years old. These animals were often seen to tease and worry half-a-dozen or more cows one after another; yet among the thousands of seals that were watched by me on the hauling-grounds, no attempts at service were ever noted. Had the virgin cows hauled-out with the bachelor seals, attempts at service by the older bulls would have been so frequent that they could not have escaped observation; but not only did I never see anything of this kind myself, but no such instance was ever reported to me.

It seems, then, probable that at least the greater portion of the virgin cows are first served at sea. Bryant speaks* of its being a common thing for young three- and four-year-old males to meet cows in the water as they came from the rookeries, and

* Allen, "Monograph of North American Pinnipeds," pp. 356, 390, 405, and 406; "On Eared Seals," pp. 96 and 100. See also Veniaminov as to virgin cows remaining away from islands.

there perform the act of coition; and though these cows were probably ones that had young ones on the rookeries, many hunters and captains of sealing-schooners with whom I conversed at Victoria and elsewhere assured me that they had often seen seals copulating in the water, and had shot both male and female while they were in the act. The female, in the majority of these cases, was one that had not yet had a pup, though in some instances they were barren cows, and a few were cows with milk in their breasts.

Proportion of Males to Females on Rookeries.

Whenever harems were well defined, and could be readily separated from adjoining ones, the number of female seals was counted. It was found that though there were a few cases in which an old bull would have but two or three cows about him, there were many other bulls which had fifty or more. One in particular, shown me by Mr. Brown, had about him more than eighty females. This was Mr. Brown's estimate. The average number of females in each harem, according to my count, was about thirty, my figures giving a little over that number. My attention was frequently drawn by the United States' Agents to what they called the great number of mature bulls that were without harems. Comparing mentally the number of such bulls with those seen on the rookeries last year, I decided, while on the ground, that there were not more than there were in 1891, though an additional number of mature males must have come upon the breeding-grounds. A comparison of photographs taken during the two seasons show no change in the number of bulls without harems. During neither season were there old bulls to be seen in anything like the numbers mentioned by Elliott and others.

Thus, Mr. S. N. Buynitsky says: "Thousands of old bulls, which have become useless for the purposes of propagation and are an incumbrance to the rookeries, might be killed for their blubber."*

Captain Bryant writes: "During the latter portion of the landing time there is a large excess of old males that cannot find room on the breeding-places; these pass up with the younger seals, and congregate along the upper edge of the rookery, and watch for a chance to charge down and fill any vacancies that may occur."† And, again: "The number of full-grown males at this date (10th August) may be considered as three times greater than the number required, or equal to one full-grown male to every three or four females."‡

Elliott says, writing of the years 1872-74: "At the rear of all these rookeries there is invariably a large number of able-bodied males which have come late, but wait patiently, yet in vain, for families. . . . All the surplus able-bodied males that have not been successful in effecting a landing on the rookeries cannot at any time during the season be seen here on this rear line. Only a portion of their number are in sight; the others are either loafing at sea adjacent, or are hauled-out in morose squads between the rookeries on the beaches."§

And, again: "300 or 400 old bulls were killed to supply skins to furnish the natives with canoes." Not that number could have been secured in 1892 had the bulls without harems been driven from every rookery on both islands.

The greatest number of bulls in proportion to the cows on the rookeries were to be found at North-east Point. I visited the rookeries there in company with Mr. Brown on the 2nd July. He drew my attention to what he called the excessive number of old bulls without harems, and there certainly appeared to be a great many, but knowing that their great size render them conspicuous, I carefully counted all that were to be seen in the vicinity of the rookeries at this place. The bulls near each rookery were counted three times, and the totals of the three counts were 94, 89, and 91 respectively. There may have been a few hidden behind rocks, but certainly not more than a dozen in all. Placing the total number at 100, and allowing twenty cows for each bull, there were enough bulls on this rookery to serve 2,000 cows more than were there. This is assuming that all were of an age and condition that fitted them for service. Many of them showed the "grey wig," which proved them to be not yet fully grown, while others were without doubt worn-out old bulls, no longer fit for service. That the majority of them were in this condition is proved by the fact that though attempts at service by "grey wigs" were not infrequent, I never saw one of

* H. R., 60th Congress, 2nd Session, Report No. 3883, p. 3.

† Allen, "Monograph of North American Pinnipeds," p. 384.

§ Census Report, pp. 36-37.

‡ Ibid., p. 390.

these old bulls pay the slightest attention to any females that might pass near them. At Zapadni rookery (3rd July), Mr. Brown, Mr. Townsend, and I noticed on several occasions a cow escape from a harem and lie down at some distance behind it, but in only one instance was any notice paid them by bulls near by. In this one instance the cow endeavoured in many ways to attract an old bull's attention, rubbing her nose against his, and striking him playfully with her flippers; he made some faint response, but after a minute or two lay down and went to sleep again. Two other bulls lying near them raised their heads once or twice to observe what was going on, but no attempt was made to serve the female.

There were in 1892, in my opinion, more old bulls without cows in the vicinity of the rookeries at North-east Point than the combined number on all the other rookeries. At Tolstoi rookery (3rd July) but one old bull without a harem could be detected at the south end of the breeding-ground, where a good view can be had of a great part of the rookery.

On St. George Island there were, in proportion to the total number of seals, even fewer bulls than on St. Paul Island. On the 15th July there were not a dozen along the whole extent of North rookery, and but two were seen at Little East rookery, and two at East rookery. Zapadni was visited the next day, and not a dozen were to be seen there.

So many statements have been published to the effect that old bulls without harems are always to be found in large numbers near breeding-grounds, that it would seem that the rookeries on St. Paul Island are nearer their normal condition than those on St. George.

Pups Swimming.

The first pups I saw swimming in 1892 were in the water in front of North rookery on St. George Island the 18th July. The day was bright and warm, and the tide at the time of my visit was just beginning to flow. A great many pups were playing in the pools among the rocks near the edge of the sea; in one place there were forty or fifty together, and in many others more than half that number, while all along the shore the young seals were in little groups of from three to ten. No old seals were near them but those swimming about in the water and those going to and coming from it. As the tide came in some of the pups slowly retreated, but many of them remained among the rocks until the water was some distance beyond them. They played about in much the same way as holluschickie do, and swam from one rock to another and back many times with no appreciable interval of rest. I, neither at this time nor on any other occasion, saw an old seal attempt to teach a pup to swim, nor carry it to the water, nor did I ever see anything that would lead me to suppose that pups learned to swim; on the contrary, a pup cut from its mother can swim for a long time. Ten days later these pups had increased considerably in size, and were swimming and playing about in the water in great numbers, seeming as much at home there as the older seals did; a few of them were 50 or 60 yards from the shore diving without apparent effort through the large waves that were coming in.

Early in August pups had begun to haul-out with the holluschickie on the north side of Lukannon rookery nearly a mile from the rookery, and by the middle of that month a great many were to be seen far from the rookery grounds.* They were, of course, in greatest numbers in front of and near Lukannon, Ketavie, and Reef rookeries, but they extended in an unbroken line from Lukannon to the landing-place at the village, in places mixed with holluschickie, but very frequently there were no older seals near them. At Black Bluff and between Zoltoi Sands and the village landing-place large bands of pups swam about from place to place or hauled-out on the rocks and sand. It does not seem possible or probable that the mother seals could find their own young ones among so many and at such a distance from the breeding-ground, and during the whole time I was on the Pribyloff Islands I never saw a female seal suckle a young one except on a rookery.

From the time pups first go into the water they are to be seen with pieces of seaweed in their mouths, and there is no reason for doubting that from this time until they leave the island at least a considerable portion of their food is composed of seaweed picked up along the shore or in the waters adjacent to it. Mr. Elliott says† that he knows fur-seals feed to a limited extent upon crustaceans and squid, and also to eat tender algoid sprouts. Pups, he believes, live upon crustaceans and squid for the first

* See Elliott.

† "Our Arctic Province," pp. 330, 331.

five or six months they are at sea. Squid, as has been shown in another part of this Report, are plentiful near the seal islands.

When on St. George Island in 1892, Captain Webster told me that after he raided Robben Reef in 1870 there were about 600 pups left when the older seals had been killed. When he sailed away from the islands "they were getting fat along the shore. At every low tide they would go down to the beach and pick up pieces of soft sea-weed, and possibly small fish, though this is doubtful." Mr. Redpath, many years a resident on the Pribiloff Islands, also expressed to me his belief that "pups" feed upon sea-weed. Mr. H. S. Browne, who was on Copper Island in 1892, told me that he saw little pups about the middle of August eating small squid and other things along the beach, and that he never saw the mother going near the little "bunches" of seals that were hunting for food for themselves along the shore.

Habits of Female Seals when Suckling.

Within a few hours after a pup is born it receives its first nourishment from the mother; and for some days, while the mother remains about the harem and the pup is too young to wander far from it, there can be little or no doubt that each mother seal suckles her own young one alone.

It was not until the 1st July that I first noted pups forming "pods," or small separate herds; every harem was still well defined, but the pups belonging to each had begun to show greater activity, and the older ones had to some extent formed little "pods" a few yards distant from the mother seals. By the 5th July it was noticeable that the pups from adjoining harems had "podded" together between them, while the harems themselves were still, with few exceptions, compact and well defined.

The cows had not yet begun to go to the water. The few wet ones seen upon the rookeries were without exception females that were still carrying their young. The seals on a great many small harems were counted, and it was always found at this time that the pups and cows were in about equal numbers. Within the next week, however, the cows began to go into the water, but not in great numbers. They seemed content to swim about near the shore, and were often seen hauled-out on some flat rock after they had been but a few minutes in the water, and, after scratching themselves for a little while, would plunge again into the sea, swim to shore, and go back to the harem to which they belonged.

On St. George Island, 15th July, as I sat on the low cliffs overlooking a part of North rookery, I saw three cows come ashore. One of these was still gravid. Each of the others, on coming out, turned her head about from side to side uttering at short intervals a cry used by most female seals as they come ashore. In each case several pups went towards the cow; in one instance five were about her at one time. These were smelt or nosed over and shoved away, or struck gently with a flipper, and one by one they dropped off. The cow then moved slowly back towards the rear of the rookery. She was "attacked" by nearly every pup she passed close to. These she put away from her, calling out from time to time as if for her own young one. Amongst the first pups that had approached her was one that persistently followed her, attempting to suck every time she stopped, several times securing the teat, while the cow nosed over other pups. It was evident that the mother seal was searching for her own young one, and that she thought that the pup following her was not it, as, often while the young one was close beside her, the cow would stop at a pod of pups and examine and smell every one of them. Whenever this pup attempted to suck and was seen, or perhaps felt, by the mother seal, it was pushed away and she moved on, followed as before by the pup. She reached at last a small harem near the back of the rookery, where she lay down on her side and was soon asleep. The pup immediately began to suck, stopping whenever the cow awakened, which happened at very short intervals, and beginning again as soon as the cow slept. It was at last satisfied, and lay down at some distance away and went to sleep. The milk had been taken from the two breasts that were uppermost, the cow not having turned over (as is usual when a cow is suckling her pup) during the fourteen minutes the interrupted nursing was going on. At such times, the cow usually places herself so that all four breasts can be reached by the young.

The second cow, referred to above, did not find her own pup, nor did I see any pup succeed in getting milk from her. She went quietly to her own harem, and after a few minutes went to sleep.

On the 18th July, on North rookery, St. George Island, a cow was seen by me to come from the water, and, after calling out as if for her young one, she was approached

by several pups, as had been noted frequently before; and, as is usual when cows come from the water, these pups attempted to suck, but were driven away. One persistently followed her; the cow smelt it over many times, as if uncertain whether it was her own or not, but did not stop, and pushed the pup from her. Though the pup continued following her, the cow did not cease crying out at intervals in the manner peculiar to them when calling for their young ones. Other pups came to her, which she smelt in the usual way, but finally she lay down and allowed the pup that had been following her from the first to nurse. If this pup were her own, it would seem that the female was for a long time uncertain whether it was so or not, for, while the pup kept up with her most of the time, and was often beside her, she continued to call out as if dissatisfied, and did not cease smelling all the pups that came to her. It is noteworthy that she did not go to the back of the rookery-ground, but, after reaching the middle of it, moved about to the right and left for more than fifteen minutes, the pup following her, and lay down at last on a rock that she had passed several times. Were the pup her own, there is no apparent reason why she should not have lain down when first joined by it. Had the pup not followed her and finally been allowed to nurse, her actions were such that any one must have concluded that, for more than fifteen minutes, she had been searching for her pup without finding it.

In both cases referred to above, the pups persisted in following the cows, though repulsed by them, and, while in one instance the cow laid down and went to sleep, the pup then helping itself; in the other, the cow, after a long delay, and in evident uncertainty as to whether the pup were her own or not, voluntarily suckled it. Instances similar to these were noted whenever any considerable time was spent in watching a particular part of a rookery.

At any time pups might be seen nursing everywhere on the rookeries, but it was not often that a female was actually seen to come from the water, and, within a short time, find a pup to nurse, as would be expected if it were true that she had been a long distance out at sea, and perhaps many days absent from the rookery. When females were seen to come from the sea and soon afterwards allow a pup to nurse, it was generally under circumstances such as those above referred to.

On the 16th July, at Starry Arctel rookery, St. George Island, I watched five female seals come from the water at different times. All called out at intervals as if for their young ones. As they slowly made their way among the harems many pups attempted to nurse, but none were allowed to do so, and every one of these cows, after wandering about for some time in an apparently aimless manner, lay down and went to sleep without having given up any milk.

On the 30th July at North rookery, St. George Island, the most suitable place on either island for such observations, two hours were spent in observing the cows as they came ashore, and though a great many were watched from the time they landed until they either lay down to sleep or returned to the water, not one was seen to suckle a young seal. These and similar instances lead me to believe that, though for some days or perhaps weeks after a young seal is born it is suckled by its own mother alone; after the young seals begin to pod together along the shore, and the females to go into the water, little attention is paid to them by their mothers. Females suckling young are to be seen on the rookeries long after the older pups have begun to go into the water, but these may in the majority of cases be the latest-born pups. From my observations on the rookeries of St. Paul and St. George Island, I cannot but believe that female seals are often uncertain whether young seals that nurse are their own or not, and that many pups nurse without the old female being aware of the fact, so that there is little chance of a very young seal starving to death unless it wanders quite away from the breeding-ground, and I am sustained in this belief by the fact that I never saw an emaciated or weak-looking pup on that part of a rookery nearest the water.

It was a common thing on both islands to see pups that were lying near mother seals go quietly to them and nurse without the females paying any attention to them, or apparently knowing that the pups were helping themselves. When in Victoria, British Columbia, in October 1892, Mr. H. S. Browne told me that on the Auckland Islands he had watched more than one pup suck from the same cow, and had heard there that when a mother died the pup would be suckled by another female.

I was repeatedly told by Agents of the United States' Government that whenever females were seen coming from the water they had been out to sea for food. This was manifestly absurd, as when the morning was cold it was apparent that few seals were absent from the rookeries, but if the sun afterwards came out, or the day grew warmer, hundreds of seals would be seen going to the water, and late in the afternoon,

or towards evening, as it became cooler, they would return to their respective harems. At such times the water from 100 yards or so in front of the rookery would be black with seals, while further out but few—and sometimes none—were to be seen. Many females were watched from the time they left the harem until they were lost among the multitude of swimming seals. They would slide into the water and roll about with evident enjoyment for a few minutes, and then come out upon some rock; after a short rest they returned again to the water. Though a careful watch was often kept, no cow was ever seen by me to enter the water and swim out to sea.

On the 23rd July, at Lukannon and Ketavie rookeries, more than half the seals were in the water, but careful examination, through field-glasses, of the sea in front of these rookeries, neither showed seals coming towards the land nor going from it.

During the seasons of 1891 and 1892, but more especially in 1892, I spent much time at sea in the vicinity of the seal islands, and during both seasons kept a careful count of the number of seals seen in the water. It was noted in both years that while the seals were very abundant in the immediate vicinity of the rookeries, and a few were always to be seen between 2 and 3 miles from the islands, very few were after that to be seen until we had gone a long distance out to sea. It is thus evident that the number of seals going to and from the islands is very small.

On the 11th September, when, on H.M.S. "Melpomene," we steamed from North-east Point to the village of St. Paul—a distance of about 11 miles—being never more than 3 miles from the shore, and most of the time much nearer to it, when off North-east Point, Polayina and Reef rookeries, thousands of seals were, with the aid of field-glasses, seen playing in the water near the shore, but very few close to the ship at the distance stated from the land.

No visit was paid to any rookery on either St. George or St. Paul without a careful examination of the rookery and hauling-grounds being made, for the purpose of recording the amount of excrement to be seen on them; the matter being of importance in connection with the question of the feeding or abstinence of seals during the breeding season. Shortly before labour began a female was sometimes seen to void a small quantity of excrement; once only, in addition to this, did I see excrement on rookery-ground that had not been voided by pups. In the instance referred to, Mr. Brown, who was with me at the time, said that it was probably from a female that had recently come ashore.

In this connection Captain Bryant may be quoted.* He says: "I found, in a few instances, where newly-arrived seals had made a single discharge of red-coloured excrement, but nothing was seen afterwards to show that such discharges were continued, or any evidence that the animals had partaken of food."

Mr. Vincent Colyer, in his Report to the Secretary of the Interior, dated 18th February, 1870, likewise says: "The assertion that the fur-seal eats but little food from June to September may be true; certainly, there was little or no offensive excrement even in October, when I believe it is acknowledged that they do get some food from the water."†

On the 27th July a large piece of fresh, light-coloured excrement, firm, and of cylindrical form, was noticed on the ground where holluschickie had been; a great many worms, such as are found in seals' stomachs, were mixed with it.

A large harem, the resort of over 300 seals, near the west end of Reef rookery, was visited by me almost daily, and excrement was always carefully looked for. This harem lay just beneath an overhanging bank, and the opportunities for observation were excellent; but, though between twenty and thirty visits were made to this place, no excrement was ever seen either on the breeding-ground or the slope leading to it, with the exception of very small pieces voided by pups, which differs greatly from that of older seals, both in shape and colour. While it is certain that holluschickie go to and from the water at all times, and when the weather is warm quit the land almost *en masse*, there is no satisfactory evidence to show that they feed while in the water. Several hundred stomachs were opened in my presence during the summer of 1892, and no trace of food was found in any of them, though, while struggling together in the killing-ground, some of them voided a small quantity of dark yellowish excrement.

Elliott, however, says that they do eat when they go out to sea.‡ He refers also to the fact that the supply of seals on the hauling-grounds is kept up during the summer by new arrivals from the sea; and Mr. George Tingle, in a letter dated 18th July, 1890, and addressed to Mr. C. J. Goff, the Treasury Agent in charge of the

* "On Eared Seals," p. 101.

† H. R., 41st Congress, 2nd Session, Ex. Doc. No. 144, p. 5.

‡ Census Report, p. 44.

Pribiloff Islands, says: "We have every reason to believe, from the *marked increase of new arrivals of fine seals*, that, if we were allowed to continue our killing under the law, we could fill our quota of 60,000 skins."*

There can be no doubt that immense numbers of seals resort to Behring Sea during the summer season that do not go to the islands at all, or, if at all, only very late in the season.

Seals are to be seen south of the Aleutian Islands in July and August, in considerable numbers; and late in July in 1892, a great many seals were seen from H.M.S. "Daphne" not far from Cape Cheerful; while it was reported to me that, a few days before this, large bodies of seals had been seen from the United States' cruiser "Yorktown" near the same place. About 25th July a whaling vessel arrived at Unalaska, and reported that there were more seals outside Unimak Pass than had ever been seen there before. These seals must have been non-breeding seals, that is, holluschickie or virgin and barren cows, possibly all three.

Mortality among Young Seals.

The causes that lead to the destruction of pups on the breeding islands are, so far as they have been noted by me—

(a.) The wandering away of the young seals from the vicinity of the breeding-grounds, and subsequent failure to find female seals from whom they can obtain milk. This seldom occurs where a harem is situated between a cliff and the water, or backed by rocky steeps, as at Lukannon rookery on St. Paul Island, and parts of North rookery on St. George Island. Pups can most easily lose themselves when on such rookeries as Polavina, Reef, or Upper Zapadnie on St. Paul Island, and Zapadnie on St. George Island. At these places they frequently wander a short distance to the rear of the occupied rookery-ground, and are soon lost, especially if boulders lie between them and the breeding-ground. A pup's confusion is naturally much greater at such places as Sea Lion Point or at Reef rookery, where, on going but a short distance inland, cries of seals can be heard from both sides of the point. Two or three pups so lost were seen by me every time I visited Reef rookery, and seldom with strength enough to move more than a few yards, if at all. These pups of course die, and are, with few if any exceptions, dragged away and eaten by foxes. While scattered dead pups were always to be seen on the open ground between the rookeries on Reef Point, none that had been dead more than a few days were ever noted, though partly-eaten carcasses were not infrequent, so that the number of carcasses seen at any one time includes but a small part of the whole number that have died.

During the months of July and August a great many females were watched as they came from the water, and although in a few cases they were seen to go to the extreme back of the occupied rookery-ground, none were seen to go beyond it.

(b.) Many pups lose their lives when stampedes occur, and many others when bulls dash among the breeding females and their young to prevent the escape of a female from the harem.

The scattered dead pups that are to be seen on all rookeries have been destroyed in either of these ways.

(c.) A few pups probably lose their lives in the surf, or by being dashed upon rocks, but the number must, under ordinary circumstances, be very small. As early as the 18th July, and on many occasions afterwards, pups were watched while in the water close to the shore, and though they were often thrown with great force against the rocks, no pup was ever seen to receive the slightest injury. These causes of death to young seals were noted by me, but are obviously insufficient to account for the great mortality among the pups on Polavina and Tolstoi rookeries.

While standing beside the camera at Polavina rookery on the 22nd July I counted 143 dead pups; they were of the same size as the living pups near them, and exhibited no sign of having died of hunger, nor did it appear that they had been crushed to death in a stampede, as those that could be seen were at or near the limit of the rookery-ground. No estimate could be made of the number of dead pups that were lying on this rookery, as the seals lay so closely together on its southern and eastern slopes that but a small part of the breeding-ground was visible. Professor Everman (a naturalist on United States' Fish Commission steamer "Albatross"), who was with me at

* Senate, 51st Congress, 2nd Session, Ex. Doc. No. 49, p. 27.

this time, and who counted 129 dead pups, thought, with me, that if so many were to be seen at the outer edge of the rookery-ground, the whole number must be very great, and about a month later (20th August) I had ample proof that this was the case. I revisited Polavina rookery on this date with a native, Neh-an Mandrigan. This man speaks and understands English very well, and was at this time on his way to Northeast Point to take charge of the guard-house there. A great many dead pups were lying at the south end of the rookery, nearly or quite as many as were to be seen on Tolstoi rookery. They were lying on a sandy slope between the water and the rocky ledge that separates the lower from the higher parts of this rookery-ground, and were rather more grouped together than at Tolstoi, from 10 to 100 lying quite close together, with spaces from 5 to 10 yards square between the groups. There were individual dead pups scattered everywhere over this rookery as on all others, but on that part of it referred to above the number was very great, and the ground on which they were lying was quite deserted by living seals. They extended as far as could be seen along the rookery, but as only the front sloping to the south could be seen, the number beyond the point to the northward could not be estimated. It was at the south end of this rookery that the British Commissioners report having seen a few hundred dead pups in 1891. Photographs taken the 5th August show this ground with the breeding seals still upon it, but many dead pups may also be seen. The native Neh-an Mandrigan was asked how he accounted for so many dead pups; he replied that he thought they had been killed when the old bulls were fighting, but a few minutes later said that he was mistaken, that their mothers must have been killed at sea, and the pups have died for want of food. He at this time told me that he had never seen so many dead pups on any rookery before. He had seen those on Tolstoi rookery in 1891, but had not visited that place in 1892.

Dead pups were first noticed by me on Tolstoi rookery the 19th August, though photographs taken by Mr. Maynard on the 8th August, while I was on St. George Island, show that at that date there were nearly, if not quite, as many of them on this rookery as there were ten days later.

At the time I first noticed the dead pups I counted over 4,000, but they lay so closely together that it was impossible to judge what proportion of the whole number was seen. I was told by the Treasury Agents on the island, and have no reason for disbelieving their statements, that when this rookery was carefully examined late in 1891 as many or more dead pups were found among the rocks or other parts of the rookery as were on the open space, and seen and specially remarked upon by the British Commissioners in 1891. This being so, it is reasonable to assume that such would be the case again this year. The dead pups noticed by me were on the same ground on which those seen last year were lying, but were scattered over a larger area, and in much greater numbers.

I accompanied the British Commissioners when they inspected Tolstoi rookery in 1891, and the date of my visit to that rookery this year coincided with their visit to it last year. Depending upon my memory alone, I had no hesitation in deciding that there was a greater number of dead pups at that place in August this year than at the same date in 1891, and a comparison since my return from the islands of the photographs taken during the two seasons proves that this is undoubtedly the case.

The pups when I first saw them appeared to have been dead not more than two weeks, and nearly all seemed to have died about the same time. Very few were noted that were in a more advanced state of decomposition than those about them, and the dozen or so that were seen were probably pups that had died at an earlier date, and from some other cause than that to which this unusual mortality among the young seals is to be attributed.

The photographs taken on the 8th August show that at that time there were several groups of seals hauled-out on ground on which the dead pups lay, but on the 19th August it was almost entirely deserted by the older seals. This rookery was revisited on the 21st August, and at this time an estimate was again made of the number of dead pups. A large band of holluschickie on their way from the water to the hauling-ground at the back of Tolstoi rookery had stopped to rest on the ground on which the pups were lying and hid a part of them, so that on this occasion a few less than 3,800 were counted. On the 23rd August I again visited Tolstoi rookery in company with Assistant Treasury Agent Ainsworth, Mr. Maynard, the photographer, and Antone Melavedoff, who is the most intelligent native on St. Paul Island, and has charge of all the boats and store-houses belonging to the Company. This native acted as boat-steerer at the time the British Commissioners visited Tolstoi rookery in 1891,

and that I might learn his opinion regarding the relative number of dead pups for the two years 1891-92, I asked him to accompany me on the occasion referred to above. When asked whether there were as many seals in 1892 as in 1891, he replied: "More; more than I ever saw before." I, at the time, asked Mr. Maynard to pay particular attention to what was said, and he has since made an affidavit to the above effect, which is appended to this Report.

My last visit to Tolstoi rookery was made on the 11th September. No living seals were to be seen on that part of the rookery-ground on which the dead pups were, and it was now apparent that they extended further to the left than is shown in the photographs taken of them; that is to say, a part of the ground on which seals are shown in these photographs had dead pups on it which at that time could not be seen; this would add several hundreds to my former estimate of their number. No pups that had died recently were to be seen anywhere. It seems reasonably certain that all the dead pups seen on this part of Tolstoi rookery died at about the same time, and I would include with them all, or nearly all, that were lying on the beach. These were doubtless thrown up by the sea, but there is no evidence that they were killed by the surf. The shore is sandy, and there had not been a heavy sea breaking upon it for more than a month previous to the date the dead pups were first seen. It seems possible that the mortality among these young pups was the result of an epidemic that ran its course in a few days, and attacked only a small portion of the young pups. That their deaths were not caused by starvation was very evident, as they were, with few exceptions, large and well developed, not small and emaciated, as is almost invariably the case with those that are known to have wandered away from the breeding-grounds and died of starvation. It is usual for young seals that are hungry to congregate at the water's edge and there await the arrival of females, returning from the sea to the breeding-grounds. I have on many occasions noted young pups whose continued cries were evidence that the little creatures were in want of food, and invariably pups in this condition were the most persistent in their endeavours to take milk from the breasts of cows as they landed, and would follow them for as great a distance as their strength would permit, returning slowly to the water's edge when the cow was lost sight of. Had the dead pups seen on Tolstoi and other rookeries died of starvation, they would without doubt have been found in masses near the sea, not scattered over all parts of the breeding-ground, and were it possible that they had been killed by the surf they would have been lying in windrows, as was the case at South-west Bay, where, on the 23rd August, 133 dead pups were found lying among sea-weed at different distances from the water. Bare spaces from 10 to 30 yards in width, on which no dead pups lay, separated these windrows of sea-weed, showing that the high-water mark had changed from day to day. The pups at this place were in all stages of decomposition; a few had died within a day or two, while little remained of others but their bones, with fragments of skin attached. Pups are constantly swimming across South-west Bay from Upper to Lower Zapadni rookeries, and it is probable that those lying on the beach represent nearly all that had been drowned, or had from any cause died in the water in the immediate vicinity of this small bay, as the shore is steep and rocky on both sides of it, and anything floating about is almost certain to be thrown up on this sandy beach.

At North-east Point, on the 20th August, all the rookery-ground visible from Hutchinson Hill was carefully examined with a field-glass. A few dead pups were to be seen here and there on all parts of the breeding-grounds, and in one place at no great distance from the water, but on higher ground than could be reached by the sea, at least 500 were visible from Hutchinson Hill. The ground on which they lay much resembled that on which dead pups were at Tolstoi and Polovina rookeries, but was not of nearly so great an extent. They lay scattered about as at Tolstoi, not in groups as at Polovina. A careful examination was made by me of all the rookeries on St. George Island, both before and after the dead pups had been noted on St. Paul, but none were seen there with the exception of a very few scattered ones, such as are to be seen on all rookeries.

Whites and natives on the islands were unanimous in saying that the mothers of the pups found dead on the rookeries had been killed at sea, and that their young had then starved. During the months of July, August, and September, I had frequent opportunities of conversing with the officers of nearly all the ships stationed in Behring Sea, both those of the United States and of Great Britain, and all agreed that it was not possible for a schooner to have been in and out of Behring Sea in 1892 without being captured (see statement in Appendix (C) of Captain Parr, the

Senior British Naval Officer stationed at Behring Sea). The cruizes of the various ships were carefully arranged by Captains Parr and Evans, and so planned that no part of Behring Sea to which sealing-vessels were likely to go was left unprotected. H.M.S. "Melpomene" and "Daphne," and United States' ships "Mohican," "Yorktown," "Adams," "Ranger," "Rush," and "Corwin," were engaged in this work. No skins worth taking into account were found on the small vessels that were seized, and most of those they had on board were doubtless taken outside Behring Sea, so that to whatever cause the excessive mortality among these young seals is to be attributed, sealing at sea can have had nothing to do with it in 1892.

Without fully indorsing what Bryant says on this subject, he may be quoted. He writes: "When the sun shines for two or three hours and the rocks become heated, there are occasional deaths among the beachmasters and very young pups from sunstroke, the symptoms being a nervous jerking of the limbs, followed by convulsions and death. Fortunately, the occurrences are rare, and it was only in 1874 that any appreciable number were lost from this cause. That year many young seals died about the 1st August.*

Were sunstroke suggested as the probable cause that led to the death of the pups found on St. Paul Island in 1891 and 1892, the positions in which they were found and the nature of the ground in which they lay would favour this theory. Were the sun to shine for even a few hours upon the smooth hard ground of the rookeries, it would become so hot that serious injury or death to the young seals might be the consequence, as it is well known that even the old seals dislike and are seriously affected by heat.

Special inquiry was made by me at the Commander Islands during the first week in September as to whether young seals had been found dead in 1892 in larger numbers than usual, and several of the oldest natives were questioned by me on this point. I was told by them that none had been seen there but a few that had been killed by the surf or had wandered away from the rookery-grounds, and yet there were many schooners sailing from United States' ports sealing in the vicinity of these islands during the whole season, and in July and August a great many schooners came from the American coast and sealed in Asiatic waters; many thousand skins were taken there, probably more than in any one season on the American side of Behring Sea, but no increased mortality was noticeable in the number of dead pups on the rookeries. The skins of the dead pups that die on the Commander Islands are taken off by the natives, and a small price is paid for them at the Company's store. The men examined by me had been recently at the rookeries for the purpose of procuring such skins, and reported that they had got no more than usual, and the agent of the Company corroborated their statements.

Natural Indications of former extent of Ground occupied by Seals on the Pribyloff Islands.

While on the Pribyloff Islands in 1892, my attention was frequently called to the yellowish grass (*Glyceria angustata*), which grows in the vicinity of all the rookeries on both St. Paul and St. George Islands. It was asserted by the United States' Treasury Agents that this yellow grass marked the limit of the ground that had within recent years been continuously covered by seals, which, if correct, would tend to show a very great decrease in seals frequenting the islands during this time. During the entire season, careful note was made of all facts that could have any bearing upon this question.

I noticed at the time of my first visit to a rookery on St. Paul Island in 1892 (1st July) that much of this grass-covered ground was dotted with boulders of various sizes, upon which were mature lichens. Even small stones that were less than a foot above the ground were completely encrusted by them, affording incontestable proof that even were it admitted that the yellow grass, in all probability, marked the ground upon which seals have been at some time or another, its presence is no evidence that the ground had been occupied by them within recent years.

The climate of the Pribyloff Islands is in every way suited for the rapid growth of lichens, and every rock and stone that has been undisturbed for a sufficient length of time is covered with them.

Soon after the islands came under the control of the United States an embankment was built at the back of the house now occupied by the agents of the North American Commercial Company. It rests upon a base or foundation about

* "Monograph of North American Pinnipeds," p. 408.

4 feet in height, composed of small boulders and broken pieces of stone laid one above the other, but not fastened together by mortar or any other cement. The rough surfaces of these rocks afford the spores of lichens a much better chance of fixing themselves than the seal-polished rocks near rookeries or hauling-grounds.

Lichens are now growing on a part of the rocks of which the foundation is composed, but many of them—the smoother ones—are still quite bare. Only four have on them lichens on which apothecia are apparent, and in these cases they are only partially developed, and many years must elapse before they reach maturity. It is thus evident that under the most favourable conditions, at least twenty years are necessary for the full development of lichens growing on these islands. The same or closely allied species on the coast of England have been found to require at least twice that length of time to fully mature.

In 1884, a wall was built behind a new store erected by the Alaska Commercial Company. On a few of the stones of which it is composed lichens are beginning to grow, but there are none that show the slightest signs of fructification. In 1885, new embankments were built at both ends of the one first referred to above, or, rather, it was extended in both directions. On none of the rocks at the bases of these recently built embankments are lichens to be seen with the exception of five, on which are growing a few small plants without apothecia, and in every one of these cases remains of old dead lichens are to be found on the same rocks which were doubtless there when the stones were placed.

It is an accepted fact that lichens increase much more quickly during the early stages of their growth than after they have begun to mature, and while they may in a comparatively small number of years give evidence of bearing apothecia, a much longer time must elapse before they mature. The attestation of Mr. J. Stanley Brown and Mr. Townsend was called to the lichens growing on rocks on the breeding-grounds, and to their being few or none on the embankments referred to above. Mr. Townsend had collected several specimens of rocks on which lichens were growing, "in order that," as he said, "I may show how soon after seals have been on the rocks they become covered with lichens," but when shown the walls on which no lichens were growing he at once threw his specimens away.

As more than three-fourths, probably four-fifths, of the ground now covered by yellow grass is also dotted with rocks on which mature lichens are found, it is certain that seals have not been upon such parts of the rookery-grounds for many years, for in dry weather these lichens are brittle, and would crumble and break off were even a small number of seals to drag themselves over them, and when a rock is damp a single seal passing over it rubs off all lichens touched by it. Seals driven from the "parade ground" on Reef rookery pass behind that part of it called Garbotch, and, for about 100 yards over what was formerly a part of Garbotch rookery. The rocks at this place have been completely bared of lichens on the sides that are come in contact with by the seals as they travel over them, while on the opposite side they exhibit in most cases lichen-covered faces.

When on St. George Island, I noticed (15th July) at the western end of North rookery, that a small band of bachelor or young male seals, numbering not more than 200, had chosen a new place for climbing up the bank that sloped from their hauling-ground to the sea, or at least a part of the slope that had not been used for many years, as it was covered with large tufts of grass from 18 inches to 2 feet in diameter, and with flowering plants of many species. The rocks, too, were covered with lichens, except in the centre of the little depression up which the seals climbed; here they had been all rubbed off. The tussocks of grass were in some places worn down quite to the ground, and along the line travelled over by the seals when going to or from the water had been worn away. Two weeks later I visited the same place, and found that, while the number of young seals hauled-out there had not increased, the ground over which they moved in their passage to and from the sea could not be distinguished from that over which seals were known to have travelled for many years. All forms of vegetation had disappeared from it, while no lichens were to be seen on any part of the rocks they passed over, except on such places as from the shape of the boulders could not have been touched by the seals' bodies.

The yellow grass above mentioned (*Glyceria angustata*) is by no means peculiar to occupied rookery-grounds. It grows on many places on both islands, that are either not now frequented by seals or never have been. At Kursoolah, a bay between Zapadni rookery and South-west Point, the ground is covered for a long distance with a thick, though short, growth of this grass, to the complete exclusion of other forms of vegetation. Seals have not been known to visit this place for many years. What

length of time ground that has been rubbed bare and beaten down by seals would remain in that condition is uncertain, but when grass begins to grow upon it only a few blades appear the first year, the second year it forms little clumps that sometimes bear seed, while the third year it attains considerable size, a clump then being from 4 to 6 inches in diameter. It is impossible to determine the length of time required for these clumps to become united so as to form a compact sward.

Early in the month of July 1892, Mr. Brown, Mr. Townsend, and I marked out a small plot of ground about 20 yards square at the back of Reef rookery. A few small bunches of grass of three or four blades each were growing upon it. This spot was visited many times during the summer, and as late as the 13th September, but no change in the grass growing on it was apparent. This particular piece of ground was chosen, as we all three were certain that it had not been occupied by seals in 1891. There were large tracts of yellow grass between this plot and Reef rookery on the one hand and Garbotch rookery on the other, proving the ground to be well adapted to its growth; yet in two years the grass that had grown upon it would not continuously cover a square yard.

In only one instance was grass found growing on ground on which seals were known to have been within a year; this was at Zapadnie rookery on the 12th August. Mr. Brown pointed out to me at this time a small area near the southern limit of the rookery, on which, he said, seals had been lying early in the season. There were none on it at the time of our visit, but in a drain-like depression that ran across it little clumps of *Deschampsia caespitosa* were growing; no young plants of *Glyceria angustata* were to be seen. *Deschampsia caespitosa* might be called the characteristic grass of the islands, as it grows everywhere except in very sandy soil or on the moors and high uplands. Almost every square yard between Tolstoi and Zapadnie rookeries and Bogoslof Mountain is covered with it. It reaches to the limit of most of the rookeries, and in many places where the ground has been long unoccupied by seals, it is encroaching on "the yellow grass limit." I had, however, never before seen it growing nearer than *Glyceria angustata* to occupied rookeries. I made a careful examination of the ground on which it was growing, and found that the little depression referred to above extended back to a large patch of *Deschampsia caespitosa*, from which the seeds had doubtless been carried. No other similar case was afterwards noted on any part of either island.

When seals have been in considerable numbers on rookery-ground, it becomes so smooth and hard that, except in rare instances such as that mentioned above, seeds could not possibly take root and grow upon it until at least one year had passed, and, as shown above, many years must then elapse before the ground becomes entirely covered by grass.

At South-west Point (Seelah) Mr. Brown called my attention to the large area covered by yellow grass. More than half of this area was dotted with small seal-polished rocks that were covered with mature lichens, while one large patch of it was completely surrounded by a luxuriant growth of *Elymus*. Seals ceased coming to this place in 1887, but for many years previous to that date the number had been growing smaller.

It seems probable that these grass-grown areas near rookeries were at some time bared of vegetation by seals. I had many opportunities in 1892 for noting that even a small band of holluschickie would in a week destroy every vestige of vegetation on a considerable area, leaving the ground perfectly bare. As these young male seals change their hauling-grounds many times during the season, a considerable extent of new ground is bared by them every year, and, though seals may not for many seasons haul-out at this place again, it will, in time, become covered with *Glyceria angustata*, and cannot then be distinguished from similar areas on which seals had been many years before, for, when ground is once taken possession of by this grass, it seems to exclude all other plants with the exception of *Deschampsia caespitosa* and a large *Artemesia*.

When on the islands I was again and again told that the yellow grass marked the limit to which seals had reached. Admitting this to be true, there is no way of determining what proportion of this ground has been occupied by seals at one time. The lichen-covered rocks prove that much of it has been deserted by them for many years, while there are other parts of it that exhibit unmistakable evidence that seals have been on it within a few years; and in yet other cases seals were seen in great numbers in 1891 and 1892 hauled-out to the extreme edge of the ground defined by yellow grass, and in not a few instances a long way beyond it.

When the rookeries on St. Paul Island were last visited in September, it was

found that at all the larger rookeries, such as Reef, Tolstoi, and Polavina, the seals had hauled-out as far as there was any signs of their ever having been before, and in many cases much farther; photographs showing this were taken at all the principal rookeries.

Comparative Numbers of Seals on the Pribyloff Islands in 1891 and 1892.

In 1891 I arrived on St. Paul Island in company with the British Commissioners, and first visited the rookeries there on the 29th July. Long before that date, in 1892, I was, trusting to my memory alone, thoroughly convinced that there were more seals on the rookeries and hauling-grounds of that island than there were in 1891, and a comparison of photographs taken in that year with those procured in 1892 proves that my memory was not at fault. Apart from this, however, the rookery- and hauling-grounds themselves exhibited unmistakable evidence that the number of seals was greater in 1892 than 1891. At Zapadnie, Tolstoi, Reef, and North-east rookeries any increase or decrease in the size of the rookeries can at once be determined by the appearance of the ground that marks their limits. There is never any difficulty in distinguishing ground on which seals have been in the previous year from that which has not been occupied by them within two or more years. The first year after seals have been on any particular area the ground remains hard and smooth, and it is seldom that even a few blades of grass show themselves. The rains of one summer and the frosts of two winters do much to loosen the soil, and in the second year its surface presents quite a different appearance.

Before the end of August nearly all the rookery-ground that bore evidence of having been occupied by seals the previous season was again covered by them. At North-east Point in particular, it was easy to see that there had been a material increase in the number of breeding-seals. Last year, the extreme limit to which seals reached at Hutchinson Hill was the crest of the hill, but in 1892 its summit was, late in August, covered with female seals and pups. They extended back so far that the shelter for the watchmen, built some years ago on this hill, could not be reached or occupied without disturbing the seals. Standing at Sea-Lion Neck on the 22nd July, and looking north over the immense rookery that covers that part of North-east Point, Mr. Miller, who was engaged in taking photographs for the United States' Government, said to me that there were more seals there than there had been when he photographed the same ground about a week later in 1891.

At Reef rookery, in 1891, the breeding-seals reached in a scattering way, in August, almost to the ledge of rocks that separates the breeding- and hauling-grounds on the south side of Reef Point, from what Elliott calls the "parade ground." In 1892 breeding-seals reached quite to this ledge, and late in August females and young had in small numbers climbed up the rocks, and were scattered for some little distance beyond them. At the south-west point of this rookery the breeding seals were, from the first of the season, hauled out in great numbers close up to the rocks that separate it from the "parade ground." This area is not included by Elliott in his Map of Reef rookery, showing the ground occupied by breeding seals in 1874.

On the 11th August, at Lukannon and Ketavie rookeries, it was noticed that while all bare ground had seals scattered over it, the breeding seals had covered so much new ground that it was impossible to reach the stone cairns, or "myaks," from which photographs had been taken earlier in the season, and which had been erected in 1891 under Mr. Brown's directions, to mark the limit to which seals had ever reached.

At Zapadnie rookery it was impossible to tell whether the breeding seals had increased or decreased, as the holluschickie on all parts of that rookery are hauled out between the breeding seals and the outer edge of the hauling-grounds, the breeding seals lying between them and the water.

At Tolstoi and Polavina rookeries the sandy nature of much of the soil at the back of the breeding-grounds made it difficult to note how far the seals had extended in the previous year, but there was no unoccupied ground that showed signs of having had seals on it in 1891.

As was to be expected, in accordance with the relatively small number of young seals killed in 1891, it was everywhere apparent that the number of holluschickie had increased. At every hauling-ground they covered the areas on which seals had been last year, and at every one of them large bands of holluschickie had hauled out on new ground. This is shown in photographs of Zapadnie, North-east Point, Lukannon, &c., on St. Paul Island, and North and Starry Arteel rookeries on St. George Island.

During the time I was on the Pribyloff Islands I never heard any one, white or native, say that there were fewer seals than there were last year, though it was frequently said in my hearing that there were not so many seals now as there were in former years. Mr. Stanley Brown expressed great surprise when he heard that the pelagic catch had been large, as, from the appearance of the rookeries, he had come to the conclusion that but few seals could have been killed at sea.

Injury to Seals resulting from "Driving" on the Islands.

When on the Pribyloff Islands I was present at four "food-killings," three on St. Paul Island and one on St. George Island, and was thus enabled to observe carefully the methods employed by the agents of the North American Commercial Company, and the natives working under them, in selecting from the thousands of seals driven to the killing-grounds the few hundreds that were to be killed. I had expected that the driving and killing of these seals would be under the direct supervision of an officer of the Government, for while it was well understood that the skins of the seals killed would be taken over by the Company, the object of the killing during the *modus vivendi* was supposed to be not for the purpose of taking skins for the Company, but to supply the natives with food. I did not myself accompany the natives during the whole progress of a drive from the hauling-grounds to the killing-grounds, but on three occasions on St. Paul Island I accompanied the drive for some distance before the killing-grounds were reached. On none of these occasions did an officer of the United States' Government see anything of the seals until they were all driven together near the killing-ground, and once the killing had to be delayed for some time until the Treasury Agent reached the ground. Once only on either island did an officer of the Government in my presence interfere in any way with the natives or the agents of the Company in their work of clubbing and skinning the seals, or make to them any suggestion as to which seals ought to be killed and which spared, and the number of seals killed on every occasion depended not upon the wants of the natives, but entirely upon the number there were in the drive that were thought by the agents of the Company to be of a size that would give to them skins of the greatest value. The one instance referred to above was at the killing on the 1st July. A seal with apparently a broken shoulder was allowed by the natives to escape, though they noticed its condition. Colonel Murray then ordered one of them to go after it, and it was killed. At this killing less than 300 skins were taken. A careful account was kept by me of the number of seals that were driven up to the clubbers, and were allowed to escape after having been huddled together on the killing-ground, while those of a killable size were selected from the drive.

But 14.1 per cent. of the whole number of seals driven at this time were killed, while among those that escaped I counted seventeen that were badly enough bitten or wounded to bleed considerably, and there were doubtless many more that I failed to notice. Three of those injured were young seals that had evidently been struck by the clubbers, as they were badly cut about the head. One seal, about 6 years old, that had been wounded in the belly, was allowed to escape. I went to where it had rested for a few minutes, and found as much clotted blood as would have filled a breakfast cup. Another seal had a gash in its back about 5 inches long, and though a four-year-old seal of the size that was being killed was allowed to go free, as the skin had been injured. A wounded or bleeding seal was to be seen in nearly every small pod of from thirty-five to fifty that passed through the hands of the clubbers. There were, of course, many others that had blood on them that had come from the killed or wounded seals, but on the seventeen referred to above the wounds could be plainly seen.

At the killing of the 25th July one young seal escaped with a broken nose, and another with an eye hanging out. Such things attracted no attention from either the natives or the officer of the Government or Company, being apparently considered by them to be quite matters of course.

I noticed at every killing on St. Paul Island at which I was present, that as each little pod of seals was driven from the killing-ground to the lagoon 20 or 30 yards away, one or more lagged behind the others, moving with great difficulty, and by means of their fore-flippers only, as if their backs or hinder parts had been hurt in some way. They seemed to revive after the water was reached, and it was not possible for me to determine whether the injury was of a kind that would affect them permanently or not.

No better proof of the injury done to seals by driving could be had than to walk along the route followed by them when driven from a hauling-ground to the killing-ground. The ground is on all sides strewn with bones; and if there has been a recent drive, many rotting carcasses are also to be seen. The day after a drive from Middle Hill I walked for about a mile from the salt-house along the route over which the seals had been driven, and found seventeen carcasses of seals that had become overheated, and had been killed so that their skins might be saved. I found one dead seal lying in a small pond of water, about a mile from the killing-grounds, through which the seals had been driven: it had no doubt become exhausted, and, lying down there, had escaped the notice of the drivers. The fur was still good. The carcasses referred to above were all of animals of the size of which the skins would be of the weight required by the Company, and much better able to bear the fatigue of the long drive than the younger ones.

As actual counting at four killings show that less than 20 per cent. of the seals driven were of what the agents of the Company considered a killable size, the number of young seals hurt while being driven must be very great, but not, I think, greater than those injured when the seals are huddled together surrounded by the clubbers. With no escape in any direction they draw nearer one another, until they are at last crowded so closely together that little more than their heads are visible, except when one of the larger seals struggles out from among the others: if of a killable size, it is knocked on the head and falls back into the struggling mass. The "pod" is continually poked and stirred up by the clubber, in order that the seals may be kept moving; and when all that are of the proper size have been clubbed the others are driven from the killing-grounds, with cries from the clubbers and the beating of pans by the attendant boys. If by chance a "killable" seal escapes with the younger ones, a club is thrown at it, and though many are struck in this way, I never saw one stunned or prevented from reaching the lagoon, a short distance away. Whether such seals receive permanent injury it is impossible to say, but the throwing of the club at them always appeared to me an act of wanton cruelty, or a sort of pastime to amuse the clubbers while the next "pod" of seals was being driven up.

While the seals were huddled together on the killing-ground the clouds of steam rising from them showed plainly the over-heated condition of the animals.

The only duty of the Treasury Agents at these killings appeared to be to take down in a perfunctory manner the number of seals killed as called out to him by the chief clubber. No other count but this was ever made on the field, both the Government and the Company depending entirely upon the counting of the skins in and out of the salt-houses when estimating the number of seals taken.

Raids.

During the months of July and August 1892 no guard was stationed upon any rookery on either island with the exception of North-east Point on St. Paul Island, and Zapadnic on St. George. Polavina and Zapadnic rookeries on the former island, and Great East and Starry Arteeel rookeries on the latter, were left without a guard of any kind, and three of these four rookeries are known to have been raided in recent years.

On the 16th July I walked on St. George Island from the village to Zapadnic rookery with the two natives who were going to relieve the watchmen there. One was a young man about 20 years of age, the other a boy of 12 or 13. When we reached the guard-house I found that the guards to be relieved were an elderly man with but one arm, and a boy of about the same age as the one referred to above. I was afterwards told by Dr. Noyes, the Manager on St. George Island for the Company, that when the killing season was at its height this one-armed man was the only guard kept at Zapadnic. He was unable to assist in any way at the killings, so was employed as a watchman.

Two or three men were kept at North-east Point, St. Paul Island, and this place is connected with the village by a telephone-line. Early in August 1892, however, the receiver or transmitter at one end of the line got out of order, and it was rendered useless as a means of communication between these places. At the time of my departure from the island on the 12th September it was still in this condition, and there was apparently no prospect of its being repaired before next spring. More than two hours would be required by the watchmen to reach the village were a raid to be made at North-east Point, and the same time to return with assistance. This, with the time consumed in rousing the people at the village, would give any raiders ample

opportunity to do their work, as I have been assured by several men who have actually raided the islands that four hours is the time usually required to make a successful raid, so that North-east Point was in 1892 practically without protection.

Polovina rookery is 5 miles from either the village or North-east Point, and any night the wind served, or even on foggy days, raids might be made there and nothing be known of them at the village. Although Zapadnie rookery can be seen from the village, and on this account is supposed to be safe, it was at this very place that the skins taken by the crew of the "Borealis," late in 1891, were procured. I was told by one of the men engaged in the raid that, at the time it was made, a revenue-cutter was lying at anchor near the village, and less than 2 miles from the rookery, that the night was clear—so clear that they could see from the schooner not only the lights of the cutter, but the vessel itself. They were desperate, however, and sailed in close to the rookery, landed, and secured 400 skins without being seen or heard. While on St. Paul Island, in 1892, three different rookeries were named to me as the one on which this particular raid was made. Nothing was known of it on the islands until the arrival of the revenue-cutters the next spring, and the officers on these vessels had heard of it through the raiders themselves.

While in Victoria, British Columbia, in May 1892, two of the crew of the schooner "Challenge" gave me particulars of the raid made on Great East rookery, St. George Island, late in 1891, and when on St. George Island in July I asked Dr. Noyes, the Manager of the North American Commercial Company on that island, for an account of the raid. He told me that the morning after the raid a native, who had been collecting wood, came in with the report that there were dead seals on Great East rookery, but that no vessel was in sight. The number of seals killed was not ascertained, as they did not wish to disturb those still on the ground. A man was sent across the island, and came back with word that a schooner was anchored in Garden Cove. Guards were put on all the rookeries, but no further attempt at raiding was made, and nothing more was seen of the vessel.

Starry Arteel seems to have been in former years a favourite rookery for raiding, as Dr. Noyes spoke of several raids having been made there in different seasons, though he did not know the names of the vessels. He told me that in 1886 a native came in, and informed him that he had seen dead pups on Starry Arteel rookery. On going there he (Dr. Noyes) found a number of dead seals lying on the shore, and while he was looking at them a native called out that he thought he saw a boat under the cliff to the westward of Starry Arteel. Two natives were sent along the cliffs with guns, but no boats could be seen. The cliffs at this place are about 900 feet high and overhang the water, so that a boat could not be seen from above. Dr. Noyes said that schooners formerly came in close to the island early in the evening and lowered their boats, which, after making the raid, were taken under the cliffs, and the following night were picked up by the schooner.

The next day a schooner was seen far out at sea—it had been foggy before—and a guard was put on all the rookeries. During the night two boats were detected close under the cliff where the natives had reported them the day before. The watchmen ordered the boats to stop, threatening to fire at them if they did not do so, and the boats not stopping they did fire, not at the men but over them: two men were, however, wounded. Dr. Noyes did not learn until the following year that the men had been wounded. He was told of it then by officers on the revenue-cutter "Rush," to which they had gone for assistance. He had never told the natives that they had wounded the men, as they would, he said, rather let every seal be taken than shoot any one.

In this connection Mr. Wardman, United States' Treasury Agent on the Pribyloff Islands for several years, may be quoted: "I asked a man one day if he would shoot if we took after a pirate, and he said he would not. It was only with great persuasion I could get him to pull me off in a boat. It is no use putting guns into their hands. I asked him why he would not shoot, and he said he did not want to kill a man. They are very cowardly."*

Even were native guards placed on every rookery on both islands, they would thus afford no real protection against raids. They might be bribed by the raiders, or might neglect their duties and not patrol the rookeries on dark or foggy nights, and even were good watch kept and the presence of raiders detected they would be useless, and at the most would but hurry to the village for help. It is assumed that if a revenue-cutter were kept at each island, no further protection would be necessary; but it has been shown that at least one successful raid was made while the cutter was

* H. R., 50th Congress, 2nd Session, Report No. 3688, p. 34.

actually in sight of the rookery being raided. All the revenue-cutters habitually come to anchor at nightfall when near the islands, if possible at the village, so that practically the whole island excepting that part of it near the village is open to the raiders. Vessels are known to have anchored to the northward of St. Paul Island for weeks, running in to the island at night to kill seals on the rookeries. A proper guard stationed at each rookery might prevent such raids, but a vessel anchored at the village can never do so.

Number of Seals required for Food of Natives.

Between the 19th May and the 18th June, 1892, inclusive, there were five "killings" on St. Paul Island, the average number of seals taken at each killing being about 125; these were doubtless sufficient to supply the natives with food, as there was at that time no lack of seals. On the 25th June the number was suddenly increased to 497, and each killing thereafter averaged a little less than 400 seals. During the first nine days of August 1370 seals were killed on St. Paul Island, an average of over 150 for each day, considerably more than the average weekly killing earlier in the season. During the whole summer a certain small portion of the seal meat was dried by the natives for their own use, and many kegs and barrels of salted meat were, besides, prepared as usual for natives at Unalaska, and sent to them. A smoke-house was built under the direction of the United States' Treasury Agent, but up to the 1st July no attempt had been made to cure any of the flesh. The smoke-house was at last filled with meat that had been soaked in brine, but, not having been properly dried before being hung up, this first lot of meat rotted and had to be thrown away. I was told that later attempts were more successful, but I saw none of the cured meat. As a rule, only the best parts of the carcasses were taken, and great quantities of flesh were left to rot upon the killing-grounds after every drive. But a small portion of the flesh of the 293 seals killed at Polavina rookery on the 8th August was saved.

Had the requirements of the natives been considered, no more seals would have been killed during the summer months than were actually required for food at the time. It would have been much better had meat that was to be salted or smoked been prepared late in autumn instead of in July and August, as there would have then been less risk of it spoiling; and had even 1,000 of the seals killed during the first nine days of August been spared until November, the natives would have had fresh meat in greater quantity, and as it keeps well when frozen, its use could have been extended over a greater period of time.

I walked over the killing-ground at St. George on the 1st August, and noted many carcasses from which no meat whatever had been taken, while from others the fore-flippers only had been removed. Natives were observed on several days previous to this to go to the killing-ground, and cut from the carcasses meat in small quantities as it was required. The seals from which the meat was taken were killed on the 21st July.

When on St. Paul Island in 1891, at the request of the British Commissioners, the parts of a seal that are eaten by the natives were cut from one weighing 85 lbs., the skin of which weighed 8 lbs.; it was found that the flesh weighed 25 lbs., and the heart, liver, tongue, and kidneys, all of which may be and often are eaten, 5 lbs.

Note referring to the Method of taking Seals at Sea.

In the expectation of being able to take seals on the way north, I took with me, when I embarked on the "Quadra," a sealing-boat of the pattern now exclusively used by the white hunters. This boat I kept with me all summer, and had ample opportunity of judging of its suitability for the work for which it is intended. These boats are light, swift craft, and are so built that either end answers equally well as the bow. They are propelled by short, paddle-like oars, commonly called paddles by the sealers, the lightness of which enables the oarsmen to pull very quickly, and so, when necessary, turn the boat very easily. This is seldom necessary, however, except when a wounded seal is being chased, and is not then really necessary except in order to put the rowers out of danger when the hunter fires at a seal which is badly wounded and comes up behind the boat; then a few strokes of the oars carries the boat to it without the necessity of its being turned round, as one of the rowers faces each way. When necessary to go astern the "boat-puller" becomes the "boat-steerer," and *vice versa*. The term "boat-steerer" is applied to the rower, or "paddler," who, under ordinary circumstances, sits in the stern of the boat, and

though he assists in propelling the boat, faces the bow and guides it as well. I saw many of these boats at various places, and all were of about the same size and built on the same model.

APPENDIX (A).

Off Triangle Island, May 11, 1892.

WE, the Undersigned, certify that we were with Mr. Macoun when he visited West Haycock Island this morning, and that we saw from the boat fur-seals all along the west side of the island in bunches of two or three, while off the south end there was a bunch of eight or ten. When frightened they did not go out to sea, but kept along the shore or went into one of the narrow channels that separate the rocky islets lying off the main island.

(Signed)

N. E. GARDNER, }
D. McCALL, } *Seamen.*
HUGH RENNY, }
G. G. GEROW, *Seal-hunter.*
WM. OWEN, *Chief Mate.*

APPENDIX (B).

Declaration of Richard Maynard.

Dominion of Canada, Province of British Columbia,
City of Victoria.

I, RICHARD MAYNARD, of the city of Victoria, and Province of British Columbia, do solemnly declare:—

1. That during the latter part of the month of July, and for nearly the whole of the month of August, I was employed in taking photographs on the Pribyloff Islands.

2. That on the 23rd day of August, 1892, I visited Tolstoi Rookery, on St. Paul Island, in company with Lieutenant Ainsworth, Assistant Treasury Agent on St. Paul Island, Mr. Macoun, an Agent of the British Government, and Antone Melovedoff, chief boatman in the employ of the North American Commercial Company.

3. We walked to that part of Tolstoi Rookery on which dead pups were lying in great numbers, and while we were all standing within a few yards of the limit of the ground on which these dead pups were, Mr. Macoun asked Antone Melovedoff whether he thought there were as many of them as there were last year, to which he replied, "More; more than I ever saw before." I was asked by Mr. Macoun to particularly note what was said, and did so.

4. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of "The Act respecting Extra-Judicial Oaths."

(Signed)

RICHARD MAYNARD.

Declared before me at the city of Victoria, British Columbia, this 5th day of November, 1892.

(Signed)

A. ST. G. FLINT,

Notary Public for British Columbia

(Seal.)

APPENDIX (C).

Captain Parr to Rear-Admiral Holham.

Sir,

"Melpomene," at Esquimalt, October 26, 1892.

IN answer to your Memorandum of the 12th instant, with the attached letter from Mr. J. M. Macoun, I have the honour to forward herewith a copy of the log of this ship, so far as it relates to the weather experienced while cruising in the Behring Sea.

2. There is also entered the days when observations for determining the position were obtained, or the reverse, and this appears to me to be the most important point with regard to vessels having to keep outside a certain limit; for I take it that that limit would be such a distance from the islands that even in the clearest weather bearings would be unobtainable.

3. With reference to the possibility of any other sealing-schooners having been taking seals in the neighbourhood of the Pribyloff Islands besides those captured, I have heard it stated that one vessel claimed to have done so to the extent of some 100 skins, but I think even that is doubtful. If the total number of seals killed in Behring Sea by sealing-schooners is taken at 500, I should say that it would largely exceed the mark.

I have, &c.

(Signed)

A. A. C. PARR.

*Comparative Statement respecting the Climatic Conditions of certain
Places in the Northern Part of the North Pacific Ocean, by
C. Carpmael, F.R.S.C., Director of the Meteorological Service of
Canada.*

Mr. Carpmael to the Hon. C. H. Tupper, M.P., Minister of Marine and Fisheries.

Sir,

Meteorological Office, Toronto, December 22, 1892.

IN accordance with your request, I send you a short comparison of the climates between May and October of St. Paul Island, Behring Island, and Robben Island, with those of the Kurile Islands, the coast of Kamtschatka, the Aleutian Islands, and the coast of Alaska. The comparison is chiefly confined to temperature, as the published information which I have been able to find with respect to number of rainy days, fog, cloud, &c., is very meagre. Such information as I have been able to find with respect to St. Paul Island seems to show that fogs and light rains are of frequent occurrence. It is stated in the United States' Census for 1880, Report on the Seal Islands of Alaska, that the wind in summer is always laden with fog, while a Table of observations is given, which shows thirty days' precipitation in September 1872 with a total fall 2.89 inches, twenty-nine days and 3.08 inches in October, and twenty-seven days with a total fall 2.38 inches in November 1872; and these figures are fully confirmed by the accompanying Table referring to St. Paul Island, which is compiled from the annual Reports of the Chief Signal Officer, Washington.

Mean Temperature.

In May the mean temperature of the Aleutian Islands is a little under 40 degrees. At St. Paul Island 33.7 degrees, and Behring Island it is 35.7 degrees. At Robben Island, according to the curves in the "Challenger" Report, the mean temperature would be about 42 degrees, but I think possibly the mean might be as low as 40 degrees. The mean temperatures in the Kurile Islands are probably between 40 and 44 degrees; along the south-east coast of Kamtschatka the mean is nearly 40 degrees, while at Sitka it is 47 degrees, and at Port Simpson 48.5 degrees.

In June the mean at St. Paul Island is 40.4 degrees, at Behring Island 42.1 degrees, and at Robben Island probably about 48 degrees. The "Challenger" Report makes the Kurile Islands somewhat over 55 degrees, but the temperature at Nennuro, taken with those on Saghalien Island and at Petropaulovski, would lead me to the conclusion that 50 degrees must be very near the mean on all of them, and the whole of the Aleutian Islands must have mean temperatures somewhere between 42 and 49 degrees. At Sitka it is 52.4 degrees, and at Port Simpson 52.7 degrees.

In July the mean at St. Paul Island is 45.2 degrees, at Behring Island 47.1 degrees, and at Robben Island probably a little under 60 degrees. The mean in the Aleutian Islands ranges between 49 and 52 degrees, and that in the Kurile Islands is probably a little under 60 degrees, and along the south-east coast of Kamtschatka it is between 55 and 60 degrees. At Sitka it is 55.5 degrees, and at Port Simpson 55.6 degrees.

In August the mean at St. Paul Island is 47.2 degrees, at Behring Island 54.1 degrees, at Robben Island it must be nearly 60 degrees, and over the greater portion of the Kurile Islands and along the south-east coast of Kamtschatka a little under 60 degrees, whilst along the Aleutian Islands it ranges between 46.9 and 51.6 degrees. At Sitka it is 55.9 degrees, and at Port Simpson 56.3 degrees.

In September the mean at St. Paul Island is 44.9 degrees, at Behring Island 46.8, and at Robben Island it must be a little below 55 degrees, and the mean on most of the Kurile Islands along the south-east coast of Kamtschatka, on all the Aleutian Islands, and along the southern coast of Alaska, and at Port Simpson, the mean lies between the extremes at these three stations.

In October the mean at St. Paul Island is 39.1 degrees, at Behring Island 37.2 degrees, and at Robben Island about 44 degrees. The more northerly of the Kurile Islands, the south-east coast of Kamtschatka, the whole of the Aleutian Islands, and part of the southern coast of Alaska have a mean temperature lying between 40 and 44 degrees, while at Sitka it is 44.9 degrees, and at Port Simpson 47.5 degrees.

The accompanying Tables are taken from various sources as marked thereon, those for Port Simpson from the records in this office, and have been examined by me and found correct.

I have, &c.

(Signed) CHARLES CARPMAEL, *Director.*

Table extracted from the "Pacific Coast Pilot," Part I, 1891.

MEAN Temperature of the Air.

Stations.	Latitude.	Longitude.	May.	June.	July.	August.	September.	October.	November.
	° ' "	° ' "	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.	Deg.
Atka Island, Aleutians ..	52 10	174 15	39.9	42.1	49.0	50.3	..	..	..
Attu Island, Aleutians ..	52 56	186 48	39.6	48.8	52.4	51.6	47.8	41.1	35.5
Behring Island ..	55 14	194 8	39.7	42.7	48.2	54.1	50.5	38.8	28.7
Dud Light House ..	50 50	142 26	42.4	52.0	60.3	61.6	53.1	40.5	21.1
Fort Tongas, Alaska ..	54 46	130 44	50.3	56.4	58.7	59.1	53.1	48.8	41.0
Fort Wrangel, Alaska ..	56 28	132 23	48.7	55.7	58.6	57.0	52.1	46.1	30.7
Kiuliuk, Unalaska ..	53 53	166 32	38.7	44.9	49.1	51.9	46.9	38.8	33.8
Kusunnai, Saghalien Islands	48 0	142 20	45.0	50.0	58.5	65.8	53.8	44.7	32.3
Muravief, Saghalien Islands	..	..	41.4	47.7	55.1	60.3	55.5	44.9	30.6
Queen Charlotte Island ..	54 12	132 58	..	53.5	57.8	57.5	..	..	..
St. Paul Island ..	57 7	170 19	34.0	41.5	46.4	48.4	45.1	38.9	34.8
St. Paul, Kadiak Island ..	57 48	152 21	43.6	50.5	54.8	56 0	50.4	42.5	35.4

FORT SIMPSON, BRITISH COLUMBIA.

Latitude, 54° 33' 28" N.; Longitude, 130° 25' 30" W.; Elevation, 35 feet.

MEAN TEMPERATURE.

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1886	45.9	51.7	56.5	59.5	53.1	47.0	40.8
1887	45.9	51.4	53.4	54.5	61.7	46.5	38.5
1888	48.3	53.9	55.1	57.1	55.1	47.5	39.8
1889	50.8	52.8	56.8	56.0	52.8	49.1	41.9
1890	49.5	53.9	56.3	57.3	54.1	47.3	45.6
1891	48.2	52.5	..	..	..	..	41.1
1892 .. ..	..	..	..	..	..	..	..
	48.5	52.7	55.6	56.5	53.4	47.5	41.3

MAXIMUM TEMPERATURE.

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1886 .. ..	..	67.5	69.5	69.3	67.0	61.0	57.0
1887	65.0	73.0	73.0	68.0	64.0	64.0	62.0
1888	71.0	65.0	71.0	68.0	72.0	64.0	57.0
1889	70.0	66.0	71.0	73.0	69.0	65.0	58.0
1890	73.0	76.0	79.0	73.0	68.0	60.0	60.0
1891	69.0	66.0	..	..	..	..	57.0
1892 .. ..	..	..	..	..	..	..	..
	71.4	68.9	72.7	70.3	67.6	62.8	58.5

MINIMUM TEMPERATURE.

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1886 .. ..	..	39.8	44.0	41.0	39.0	30.0	20.0
1887	27.0	35.0	36.0	40.0	34.0	31.0	23.0
1888	30.0	40.0	40.0	43.0	38.0	29.0	17.0
1889	35.0	37.0	42.0	42.0	34.0	36.0	24.0
1890	30.0	39.0	39.0	42.6	38.6	28.6	30.6
1891	29.6	40.6	..	..	..	..	19.6
1892 .. ..	..	..	..	..	..	..	..
	30.3	38.6	40.2	41.7	36.7	30.9	22.4

NUMBER of Days Cloudy.

Year.	May.	June.	July.	August.	September.	October.	November.
1886 .. ..	..	17	11	18	11	22	..
1887	17	15	17	11	14	15	15
1888	12	26	14	18	18	26	20
1889	19	15	8	21	21	17	18
1890	12	18	16	14	18	22	25
1891	11	12	..	..	..	..	18
1892 .. ..	..	..	..	..	..	..	..
	14.2	17.2	13.2	16.4	16.4	20.4	19.2

NUMBER of Days Precipitation

Year.	May.	June.	July.	August.	September.	October.	November.
1886 .. ..	..	21	8	17	18	21	21
1887	17	10	16	17	20	23	18
1888	15	23	10	9	20	29	23
1889	20	18	12	27	24	22	20
1890	12	18	16	11	20	25	26
1891	7	11	..	..	..	..	24
1892 .. ..	..	..	..	..	..	..	..
	14	17	12	16	20	23	23

NUMBER of Days Clear.

Year.	May.	June.	July.	August.	September.	October.	November.
1886 .. ..	..	3	9	5	10	3	..
1887	7	6	11	8	7	1	3
1888	7	1	10	6	3	1	6
1889	6	4	13	..	1	7	3
1890	16	6	3	5	4	..	3
1891	8	..	..	..	..	..	5
1892 .. ..	..	..	..	..	..	..	..
	8.8	4	9.2	4.8	5	2.4	4

CLOUDINESS expressed in Percentage.

Year.	May.	June.	July.	August.	September.	October.	November.
1886 .. ..	..	74	54	72	54	77	71
1887	66	62	59	59	64	73	72
1888	57	89	57	68	75	89	70
1889	71	70	44	82	80	65	76
1890	44	69	68	64	74	84	85
1891	55	72	75	..	..	..	72
1892 .. ..	..	..	..	..	..	..	..
	59	73	59.5	69	69	78	74

AMOUNT of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1886 .. ..	..	3.60	3.50	9.80	8.69	17.43	12.61
1887	3.70	3.30	6.41	3.61	13.14	11.98	16.62
1888	4.59	5.71	3.00	7.65	10.77	18.04	13.54
1889	6.47	5.65	3.48	14.11	10.86	10.70	12.70
1890	3.20	5.06	4.44	6.78	15.23	12.83	19.25
1891	2.92	1.75	..	..	..	..	17.89
1892 .. ..	..	..	..	..	..	..	..
	4.19	4.08	5.04	8.39	11.74	12.64	15.53

NUMBER of Days Foggy.

Year.	May.	June.	July.	August.	September.	October.	November.
1886 .. ..	..	3	..	..	..	1	..
1887 .. ..	..	..	1	6	7	3	1
1888	2	1	5	5	3	1	..
1889 .. ..	..	..	13	1	..	..	2
1890	6	4	6	6	4	..	10
1891	2	4	4	..	..	..	..
1892 .. ..	..	..	..	..	..	..	..

SITKA, ALASKA.

Reports of Chief Signal Officer, Washington.

Latitude, 57° 3' N.; Longitude, 135° 20' W.

MEAN TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1881 .. ..	..	..	..	..	..	..	..
1882 .. ..	..	..	..	..	..	..	..
1883 .. ..	..	..	..	..	..	..	..
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
1886 .. ..	..	..	..	..	..	..	..
1887 .. ..	..	..	..	..	..	..	..
	47.2	51.9	54.8	56.5	52.4	45.7	39.8

MAXIMUM TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1881 .. ..	..	..	67.0	79.0	63.8	57.8	52.8
1882	69.2	69.6	66.7	67.7	60.3	60.8	54.0
1883	65.2	62.1	67.5	64.0	69.4	59.8	52.8
1884	59.4	74.6	67.5	71.8	65.7	55.1	55.8
1885	79.0	70.0	70.0	75.0	69.0	59.0	50.0
1886	61.0	68.0	72.0	72.0	62.0	59.0	54.0
1887	58.0	72.0	66.0	68.0	60.0	..	..
	65.3	69.4	69.4	71.1	64.3	58.5	53.2

MINIMUM TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1881 .. ..	..	..	45.0	43.9	40.5	32.0	22.5
1882	32.0	38.0	43.0	43.5	34.5	31.0	29.0
1883	34.0	38.0	42.7	42.5	40.0	26.0	5.0
1884	36.2	39.0	45.9	44.4	22.0	26.0	27.0
1885	37.0	39.0	47.0	44.0	38.0	33.0	29.0
1886	31.0	38.0	45.0	42.0	39.0	31.0	23.0
1887	28.0	40.0	42.0	41.0	36.0	..	..
	33.0	38.7	44.2	43.0	37.1	29.8	22.6

NUMBER of Days Cloudy.

Year.	May.	June.	July.	August.	September.	October.	November.
1881 .. ..	..	..	22	12	16	8	22
1882	15	19	23	18	14	17	19
1883	18	23	27	18	16	19	17
1884	23	20	21	20	14	25	20
1885	18	10	17	13	19	20	18
1886	14	15	15	19	20	18	21
1887	17	22	23	19	17	..	..

NUMBER of Days of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1881 .. ..	..	..	15	10	21	13	24
1882	11	16	20	17	21	19	19
1883	14	17	23	19	15	22	20
1884	26	14	8	12	18	26	23
1885	15	8	10	17	23	26	24
1886	11	18	15	17	25	28	29
1887	20	14	21	21	20	..	..

AMOUNT of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1881 .. ..	..	..	..	..	..	..	..
1882 .. ..	..	..	..	..	..	..	..
1883 .. ..	..	..	..	..	..	..	..
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
1886	3.68	4.63	3.27	10.72	25.52	24.82	20.51
1887 .. ..	..	..	..	..	..	..	..
	4.54	3.84	4.89	6.52	12.83	13.49	13.68

CLOUDINESS expressed in Percentage.

Year.	May.	June.	July.	August.	September.	October.	November.
1881 .. ..	..	..	82	56	69	46	83
1882	60	75	82	61	73	65	75
1883	72	81	92	70	70	76	68
1884	85	78	75	78	60	83	77
1885	69	44	68	59	79	80	76
1886	62	72	69	79	83	76	83
1887	78	76	78	71	71	..	..

UNALASKA, ALASKA.

Latitude, 53° 53' N.; Longitude, 166° 32' W.

MEAN TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
Normal* ..	Degrees. 40.4	Degrees. 45.9	Degrees. 49.6	Degrees. 50.3	Degrees. 46.0	Degrees. 40.4	Degrees. 34.6

* Normal temperature obtained from Report of the Chief Signal Officer, United States of America, 1887, Part I, p. 251.

MAXIMUM TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
1882	Degrees. ..	Degrees. ..	Degrees. 78	Degrees. 67	Degrees. ..	Degrees. ..	Degrees. ..
1883	57	64	72	69	60	61	54
1884 .. ..	..	..	..	..	..	..	..
1885	58	60	62	64	59	54	53
1886	59	..	..	..	..	..	..

MINIMUM TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1882 .. ..	..	..	40	36	37	26	23
1883	31	34	40	38	33	30	19
1884 .. ..	..	..	..	..	..	..	..
1885	31	34	39	40	34	30	23
1886	31	..	..	..	..	..	..

NUMBER of Days Cloudy.

Year.	May.	June.	July.	August.	September.	October.	November.
1882 .. ..	..	..	23	24	26	21	..
1883	24	24	25	24	26	14	24
1884 .. ..	..	..	..	..	..	..	..
1885	16	22	28	14	26	19	20
1886	14	..	..	..	..	..	..

NUMBER of Days of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1882 .. ..	..	..	..	..	..	..	..
1883	24	10	10	17	26	21	22
1884 .. ..	..	..	..	..	..	..	..
1885	11	12	18	16	26	30	22
1886	9	..	..	..	..	..	..

AMOUNT of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
(Four years) Normals* ..	4.64	4.26	2.78	2.40	8.64	11.98	9.30

* Report of Chief Signal Officer, United States of America, 1887, Part I, p. 297.

CLOUDINESS expressed in Percentage.

Year.	May.	June.	July.	August.	September.	October.	November.
1882 .. ..	..	..	86	86	83	81	80
1883	85	88	89	82	89	75	87
1884 .. ..	..	..	..	..	..	..	..
1885	71	85	92	70	90	83	84
1886	78	..	..	..	..	..	..

ATKA.

Reports of Chief Signal Officer, Washington.

Latitude, 52° 10' 30" N.; Longitude, 174° 15' 18" W.

MAXIMUM TEMPERATURE.

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1881 .. ..	..	..	..	..	..	54	47
1882	52	54	63	68	62	53	49
1883	49	72	72	68	60	53	57
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
1886	61	60	76	72	..	..	..

MINIMUM TEMPERATURE.

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1881 .. ..	..	..	..	..	..	30	28
1882	24	35	35	39	39	28	22
1883	29	32	38	40	85	31	22
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
1886	32	28	36	39	..	..	..

AMOUNT of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1881 .. ..	..	..	..	..	..	6.30	10.91
1882	4.47	4.40	4.63	5.43	9.16	12.18	8.87
1883	8.19	4.20	3.88	4.83	9.71	10.05	14.72
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
1886	7.08	7.07	2.01	6.30	..	..	..

ST. PAUL ISLAND, ALASKA.

Reports of United States' Signal Service (1873-76).

Latitude, 57° 38' N.; Longitude, 169° 50' W.

NUMBER of Days of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1872 .. ..	..	..	..	..	30	29	27
1873	20	21	25	26	27	31	30
1874	21	..	27	29	25	31	28
1875	26	26	21	29	26	27	19
1876	31	13	..	..	..	..	..
1877 .. ..	..	..	..	..	..	..	..
1878 .. ..	..	..	..	..	..	..	..
1879 .. ..	..	..	..	..	..	..	..
1880 .. ..	..	..	..	..	..	..	..
1881 .. ..	..	..	..	..	..	..	..
1882 .. ..	..	..	..	..	..	..	..
1883

Reports of United States' Signal Service (1873-76, 1881-83).

AMOUNT of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1872 .. ..	..	..	..	..	2.89	3.08	2.38
1873	0.60	0.50	2.65	2.61	2.64	3.89	3.61
1874	0.58	..	3.81	2.62	3.01	4.82	9.28
1875	2.15	5.38	4.75	5.73	3.86	4.50	0.79
1876	3.73	1.56	..	..	..	..	..
1877 .. ..	..	..	..	..	..	..	..
1878 .. ..	..	..	..	..	..	..	..
1879 .. ..	..	..	..	..	..	..	..
1880 .. ..	..	..	..	..	..	..	..
1881 .. ..	..	2.22	2.10	4.49	7.94	5.88	7.81
1882	1.68	1.02	3.49	2.30	5.89	6.55	6.44
1883	2.10	..	..	..	..	..	..

Reports of United States' Signal Service (1873-76).

GREATEST Amount of Precipitation in One Day.

Year.	May.	June.	July.	August.	September.	October.	November.
1872 .. ..	..	..	..	..	0.85	0.58	0.31
1873	0.14	0.24	0.78	0.67	0.44	0.86	0.53
1874	0.15	..	0.72	0.70	0.85	1.10	1.15
1875	1.23	1.55	1.04	1.05	1.40	1.35	0.17
1876	0.83	0.45	..	..	..	..	..
1877 .. ..	..	..	..	..	..	..	..
1878 .. ..	..	..	..	..	..	..	..
1879 .. ..	..	..	..	..	..	..	..
1880 .. ..	..	..	..	..	..	..	..
1881 .. ..	..	..	..	..	..	..	..
1882 .. ..	..	..	..	..	..	..	..
1883 .. ..	..	..	..	..	..	..	..

Reports of United States' Signal Service (1873-76).

PERCENTAGE of Fog.

Year.	May.	June.	July.	August.	September.	October.	November.
1872 .. ..	..	..	..	..	7.2	0.0	1.7
1873	16.2	26.7	50.2	48.9	20.5	8.1	9.4
1874	12.1	..	61.7	22.2	2.6	1.0	1.3
1875	0.3	7.2	11.8	12.8	3.6	0.2	0.0
1876	17.3	14.0	..	..	..	..	..
	11.5	16.0	41.2	28.0	10.3	3.1	3.1

BEHRING ISLAND.

Reports of United States' Signal Service.

Latitude, 55° 14' N.; Longitude, 194° 8' W.

MEAN TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1882 .. ..	..	..	..	..	..	..	..
1883 .. ..	..	..	..	..	..	..	..
1885	35.1	41.9	46.2	48.3	45.6	34.8	29.9
* Normal ..	35.7	42.1	47.1	51.0	46.8	37.2	30.3

MEAN Maximum Temperature (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1882 .. ..	..	..	54.6	63.6	58.5	48.0	40.3
1883	43.6	39.5	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
* Normal ..	40.3	46.7	51.8	54.3	50.0	41.3	35.0

MEAN Minimum Temperature (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1882 .. ..	..	..	39.4	44.6	35.3	19.2	13.5
1883	28.2	33.4	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
* Normal ..	22.2	38.1	43.3	47.5	42.0	32.2	25.6

NUMBER of Cloudy Days.

Year.	May.	June.	July.	August.	September.	October.	November.
1882 .. ..	..	..	..	..	..	..	..
1883 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
* Normal ..	23.0	23.0	20.0	22.7	16.7	18.3	21.4

NUMBER of Fair Days.

Year.	May.	June.	July.	August.	September.	October.	November.
1882 .. ..	..	..	..	..	..	..	..
1883 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
* Normal ..	8.0	5.7	10.0	7.3	11.3	12.7	8.3

* From Report of Chief Signal Officer, 1886, p. 411 *et seq.*

NUMBER of Clear Days.

Year.	May.	June.	July.	August.	September.	October.	November.
1885 .. ..	..	..	..	..	..	..	..
1886 .. ..	..	..	..	..	..	..	..
•Normal ..	0·0	1·3	1·0	1·0	2·0	0·0	0·3

CLOUDINESS expressed in Percentage.

Year.	May.	June.	July.	August.	September.	October.	November.
1885							
1886							
•Normal ..	75	75	63	73	86	76	77

AMOUNT of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1885	1·19	1·63	4·05	2·15	3·32	1·34	1·84
1886	0·96	1·66	2·46	2·09	2·50	2·60	2·96
•Normal ..	0·96	1·66	2·46	2·09	2·50	2·60	2·96

• From Report of Chief Signal Officer, 1886, p. 411 *et seq.*

PETROPAULOVSKI.

Supplement to Repertorium for Meteorology, St. Petersburg, 1881

Latitude, 53° N.; Longitude, 158° 48' W.; Elevation, 33 feet.

MEAN TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1828	39·0	50·7	57·9	55·4	50·4	37·6	24·6
1843	40·1	52·7	60·8	62·4	53·1	..	30·4
1845 .. ..	..	..	..	..	..	..	..
1846	39·0	53·4	57·2	60·1	50·9	41·5	31·3
1847	41·4	50·2	57·0	58·3	52·5	40·3	31·8
1848	40·8	51·4	57·0	57·0	50·2	37·2	27·7
1849	41·5	49·6	61·0	59·4	49·5	41·2	25·9
1850	41·7	..	..	59·9	51·8	38·5	27·7
1851	40·5	..	..	..	..	..	..
1852	37·2	..	..	..	..	40·6	29·5
1853	37·6	45·7	57·0	57·2	53·2	43·3	35·2
Mean ..	39·9	50·5	58·3	58·7	51·4	39·0	29·3

Note.—Date at this station old style.

ALEXANDROWKA, SAGHALIEN ISLAND.

Annals of the Physical Observatory, St. Petersburg.

Latitude, 50° 50' N.; Longitude, 142° 7' W.; Elevation, 156 feet.

MEAN TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1881	44.1	52.7	59.4	62.6	57.7	39.9	24.8
1882	43.0	54.3	60.8	67.1	55.9	38.5	16.5
1883	43.7	53.4	64.9	66.7	53.1	41.9	24.4
1884	41.7	50.9	59.2	59.4	52.5	35.4	16.5
1885	40.3	45.8	59.0	61.0	40.2	39.2	19.9
1886	43.3	55.0	63.7	61.2	53.8	39.2	21.0
1887	44.4	52.0	59.5	64.4	52.3	39.7	23.9
1888	42.3	48.2	60.1	60.8	50.5	39.2	30.0
1889	40.8	51.1	65.6	61.3	51.3	36.1	20.3
1890	40.1	49.5	61.5	67.5	58.8	39.6	23.9
	42.4	51.7	61.4	63.2	53.6	38.9	22.1

MAXIMUM TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1881	67.8	63.9	81.5	76.6	76.3	65.1	45.5
1882	65.1	72.3	82.4	83.1	75.7	55.8	40.3
1883	72.9	79.0	83.7	82.9	69.6	67.5	46.6
1884	66.0	71.6	79.4	77.4	73.4	53.2	38.7
1885	66.7	71.8	79.0	81.0	69.3	65.5	45.5
1886	63.0	75.6	81.9	76.1	71.1	60.3	48.7
1887	64.8	72.0	81.9	87.4	67.6	62.8	44.8
1888	66.2	65.8	80.6	77.7	65.1	62.1	53.6
1889	68.0	77.2	81.5	80.4	72.5	61.1	38.1
1890	71.4	62.2	80.1	86.0	77.0	57.7	41.2
	67.2	71.1	80.6	80.9	71.8	60.1	44.3

MINIMUM TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1881	30.4	43.5	49.3	47.5	36.0	16.9	- 2.2
1882	32.0	39.2	47.1	53.1	37.4	13.6	- 13.9
1883	28.6	39.2	54.1	50.5	36.3	21.0	- 2.7
1884	27.1	39.6	48.7	43.0	33.8	16.2	- 12.3
1885	28.4	39.0	44.6	45.9	31.3	24.1	- 9.8
1886	28.8	36.5	49.8	44.1	34.3	17.6	- 8.1
1887	28.8	42.3	48.4	45.1	34.0	19.0	3.4
1888	28.4	37.4	45.5	49.6	30.9	15.1	14.7
1889	28.8	36.0	55.2	41.5	33.6	11.3	0.5
1890	21.4	30.2	39.2	39.6	36.1	22.6	- 0.4
	28.4	38.3	48.2	46.0	34.4	17.7	- 3.1

NUMBER of Cloudy Days.

Year.	May.	June.	July.	August.	September.	October.	November.
1881	11	16	20	12	11	18	20
1882	18	15	12	7	8	13	20
1883	12	9	10	9	10	12	18
1884	10	11	20	13	6	15	16
1885	15	12	15	17	15	15	17
1886	14	18	18	18	15	11	15
1887	17	20	18	13	18	15	23
1888	18	17	21	20	12	18	19
1889	20	11	12	19	13	25	27
1890	19	25	12	19	19	14	21
	15.4	15.4	15.8	14.7	12.7	15.6	19.6

NUMBER of Days of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1881	8	14	14	16	13	15	10
1882	9	10	9	11	12	10	15
1883	7	6	8	10	13	9	18
1884	7	7	10	10	6	14	15
1885	12	11	7	17	13	10	16
1886	12	10	9	15	15	10	11
1887	8	7	13	12	18	13	21
1888	11	4	17	17	16	16	13
1889	10	11	7	16	19	26	24
1890	15	12	7	9	13	12	20
	9.9	9.2	10.1	13.3	13.8	13.5	16.3

NUMBER of Clear Days.

Year.	May.	June.	July.	August.	September.	October.	November.
1881	2	..	1	3	4	3	..
1882	3	5	4	6	7	5	2
1883	6	3	6	3	3	9	4
1884	6	4	..	4	8	2	1
1885	4	3	..	3	6	5	3
1886	3	3	3	1	2	1	6
1887	1	2	2	1	1	5	2
1888	1	1	..	4	4	3	2
1889	1	3	8	1	..	..	..
1890	1	1	3	1	2	3	1
	2.8	2.5	2.7	2.7	3.7	3.6	2.1

CLOUDINESS expressed in Percentage.

Year.	May.	June.	July.	August.	September.	October.	November.
1881	66	78	84	69	61	74	84
1882	75	64	65	48	52	67	82
1883	59	63	57	59	65	55	76
1884	58	66	86	67	47	75	80
1885	71	69	74	76	65	68	75
1886	69	80	76	81	72	70	67
1887	75	79	77	72	82	66	87
1888	92	79	88	77	66	76	81
1889	70	66	62	81	89	92	96
1890	81	91	67	79	80	70	86
	71	73	74	71	68	71	81

AMOUNT of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1881	1.14	2.75	3.91	3.25	2.55	3.26	0.72
1882	1.24	1.35	0.70	1.15	4.19	1.39	2.64
1883	0.78	1.39	1.93	1.44	2.57	1.79	1.93
1884	0.65	1.26	2.69	1.12	0.83	2.06	1.19
1885	1.20	2.19	0.51	7.11	2.61	1.13	2.18
1886	1.56	2.23	1.90	5.96	4.54	1.41	1.09
1887	1.20	1.25	3.23	1.96	4.81	3.00	4.83
1888	1.50	0.33	3.54	3.00	5.35	3.90	3.39
1889	0.98	2.56	1.48	3.11	8.02	5.78	4.05
1890	2.72	2.25	1.69	2.30	5.24	4.10	3.46
	1.297	1.756	2.158	3.040	4.071	2.782	2.548

GREATEST Amount of Rain in one Day.

Year.	May.	June.	July.	August.	September.	October.	November.
1881	0.32	0.65	1.23	1.03	1.00	0.97	0.23
1882	0.56	0.44	0.27	0.38	1.66	0.45	1.15
1883	0.19	0.56	0.67	1.10	0.42	0.59	0.50
1884	0.29	0.72	1.02	0.50	0.47	0.79	0.77
1885	0.29	0.59	0.16	1.18	0.50	0.54	0.66
1886	0.27	0.67	0.49	1.10	1.08	0.68	0.28
1887	0.63	0.70	1.56	0.47	2.05	0.67	0.55
1888	0.34	0.22	1.74	0.52	1.00	1.03	0.63
1889	0.76	1.25	0.73	1.36	1.90	1.01	0.96
1890	0.58	0.42	0.91	0.62	2.31	1.01	0.67
	0.423	0.622	0.878	0.826	1.239	0.774	0.642

KORSSOKOWSKIZ.

Annals of the Physical Observatory, St. Petersburg.

Latitude, 46° 39' N.; Longitude, 142° 48' W.; Elevation, 66 feet.

MEAN TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1878	43.2	55.2	60.6	66.0	59.5	44.8	27.9
1879	40.8	52.7	64.0	63.0	56.8	45.7	28.8
1880	43.3	50.5	61.2	66.6	58.5	44.8	34.9
1881	44.6	53.6	57.9	63.9	59.5	45.0	32.2
1882	42.1	52.3	57.2	66.4	59.5	45.0	26.1
1883	42.3	52.0	65.1	70.7	59.7	51.8	29.1
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	63.3	56.7	47.7	32.7
1886	46.2	56.5	65.1	68.0	62.1	49.2	..
1887	41.7	49.3	60.8	67.8	56.1	46.3	32.0
1888	43.3	45.0	60.3	63.0	57.4	45.1	35.1
1889	39.4	51.1	64.0	66.0	56.7	41.2	28.6
1890	43.9	47.1	60.1	..	..	..	..
	42.8	51.4	61.5	65.9	58.4	46.0	30.7

MAXIMUM TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1878	58.3	75.6	77.4	84.7	83.7	63.7	52.0
1879	64.2	74.3	75.6	75.4	70.0	59.7	41.4
1880	56.7	66.2	83.7	81.0	72.7	59.9	49.8
1881	59.7	67.3	74.5	79.2	76.5	62.6	53.1
1882	60.6	72.3	70.0	83.1	77.7	60.6	47.7
1883	65.3	66.0	82.2	84.6	73.6	65.5	58.8
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	73.2	72.0	63.5	54.9
1886	62.4	70.2	77.4	79.2	75.4	64.2	..
1887	54.7	64.9	74.1	82.9	72.3	62.6	52.3
1888	58.1	60.6	73.4	79.5	70.5	66.0	55.4
1889	56.1	72.7	75.0	80.4	70.0	56.7	44.6
1890	68.4	64.8	77.7	..	..	..	..
	60.4	68.6	76.5	80.3	73.2	62.3	51.0

MINIMUM TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1878	29.1	35.8	47.7	52.9	35.1	30.0	8.4
1879	26.4	37.6	50.4	53.8	42.3	33.1	9.5
1880	34.2	36.9	41.0	50.9	38.7	23.0	17.6
1881	31.3	42.6	44.8	51.1	44.4	28.6	12.0
1882	30.9	38.5	46.6	56.5	41.9	25.9	9.7
1883	25.3	36.7	50.2	57.9	45.3	22.8	— 4.0
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	54.0	45.5	29.8	17.4
1886	34.2	38.1	49.1	54.9	50.2	39.6	..
1887	28.8	38.5	47.3	52.7	39.9	26.2	8.2
1888	29.1	33.6	41.9	50.0	37.2	23.9	14.5
1889	35.6	36.0	52.0	49.5	41.0	23.5	10.6
1890	26.4	36.0	42.8	..	..	..	..
	30.1	37.3	46.7	53.0	41.9	27.9	10.4

NUMBER of Days Cloudy

Year.	May.	June.	July.	August.	September.	October.	November.
1878 .. ..	..	..	..	..	..	..	..
1879 .. ..	..	..	..	..	..	..	..
1880 .. ..	..	..	..	..	..	7	12
1881	9	13	16	11	6	7	6
1882	10	14	9	4	13	15	12
1883	4	4	12	9	10	11	6
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	6	13	13	11
1886	6	12	12	12	10	3	..
1887 .. ..	..	22	19	9	11	5	15
1888	21	22	18	16	8	10	12
1889	15	15	15	12	..	..	..
1890	14	25	12	..	..	..	..
	11.3	15.9	14.1	9.9	10.1	8.9	10.6

NUMBER of Days of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1878	3	..	4	1	2	..	1
1879 .. ..	..	..	..	..	..	..	..
1880 .. ..	..	..	8	12	11	14	12
1881	11	11	14	8	7	9	9
1882	6	12	3	5	10	6	6
1883	3	7	4	2	13	3	1
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
1886 .. ..	..	..	..	..	..	..	..
1887 .. ..	..	..	..	..	..	..	..
1888 .. ..	..	..	..	..	..	..	..
1889 .. ..	..	..	..	..	..	..	..
1890	14	13	8	..	..	..	..
	7.4	10.8	6.8	5.6	8.6	8.0	5.8

NUMBER of Clear Days.

Year.	May.	June.	July.	August.	September.	October.	November.
1878 .. ..	..	..	..	..	..	..	..
1879 .. ..	..	..	..	..	..	..	..
1880 .. ..	..	..	..	..	..	..	3
1881	10	7	4	8	11	4	2
1882	2	2	2	5	6	5	..
1883	7	6	3	6	5	7	9
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	2	6	5	3
1886	4	4	7	6	8	6	..
1887 .. ..	..	2	2	6	3	6	4
1888	3	2	3	1	6	3	5
1889	4	6	10	4	..	..	..
1890	4	..	4	..	..	..	..
	4.9	4.1	4.4	9.5	6.4	5.1	4.3

CLOUDINESS expressed in Percentage.

Year.	May.	June.	July.	August.	September.	October.	November.
1878 .. ..	..	..	..	..	..	..	..
1879 .. ..	..	..	..	..	..	..	..
1880 .. ..	..	..	..	88	..	74	63
1881	45	61	70	57	46	58	60
1882	65	75	69	15	61	58	74
1883	46	49	67	54	58	60	44
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	67	61	63	62
1886	64	69	62	59	55	49	..
1887	48	83	77	58	64	48	67
1888	79	81	79	78	52	61	61
1889	71	62	57	62	..	..	..
1890	56	90	66	..	..	..	..
	60	71	68	63	57	60	62

AMOUNT of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1878 .. ..	..	..	..	..	..	..	..
1879 .. ..	..	..	..	..	..	..	..
1880 .. ..	..	..	..	..	..	..	..
1881 .. ..	..	..	..	..	..	..	..
1882	1.54	2.10	0.38	1.22	3.02	2.05	1.01
1883	0.03	0.50	0.93	0.06	2.18	1.11	0.11
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
1886 .. ..	..	..	..	..	..	..	..
1887 .. ..	..	..	..	..	..	..	..
1888 .. ..	..	..	..	..	..	..	..
1889 .. ..	..	..	..	..	..	..	..
1890	2.02	1.89	1.28	..	..	..	..

GREATEST Amount of Rain in one Day.

Year.	May.	June.	July.	August.	September.	October.	November.
1878 .. ..	..	..	..	..	..	..	..
1879 .. ..	..	..	..	..	..	..	..
1880 .. ..	..	..	..	..	..	..	..
1881 .. ..	..	..	..	..	..	..	..
1882	0.78	0.39	0.20	0.54	0.72	1.17	0.29
1883	0.02	0.39	0.31	0.04	0.75	0.42	0.11
1884 .. ..	..	..	..	..	..	..	..
1885 .. ..	..	..	..	..	..	..	..
1886 .. ..	..	..	..	..	..	..	..
1887 .. ..	..	..	..	..	..	..	..
1888 .. ..	..	..	..	..	..	..	..
1889 .. ..	..	..	..	..	..	..	..
1890	0.43	0.34	0.35	..	..	..	..

NEMURO, JAPAN.

Annual Reports of the Meteorological Central Observatory, Tôkiô.

Latitude, 43° 20' N.; Longitude, 141° 35' E.; Elevation, 43 feet.

MEAN TEMPERATURE (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1884	43.2	48.4	58.6	61.5	57.6	44.1	34.2
1885	42.3	51.1	56.1	62.4	57.4	50.0	41.4
1886	45.3	52.7	60.1	67.6	62.1	53.2	39.0
1887	41.0	46.4	58.5	65.8	59.4	51.1	42.4
1888	45.7	47.0	60.4	64.3	58.5	51.3	42.4
1889	41.0	49.0	57.4	64.8	57.6	48.0	37.2
1890	46.8	50.7	59.2	66.7	63.5	51.0	42.3
	44.6	49.0	58.6	64.5	59.7	50.6	40.1

MEAN of Maxima Temperatures (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1884	51.8	56.7	66.4	68.0	62.8	54.9	41.5
1885	50.0	60.3	63.1	68.7	63.0	56.1	46.2
1886	52.7	59.9	66.4	74.7	67.6	59.5	45.3
1887	47.8	52.0	66.0	73.2	66.2	57.2	40.5
1888	54.3	49.6	69.4	71.1	64.6	57.6	47.3
1889	47.7	57.4	65.1	72.5	64.4	54.9	43.3
1890	55.9	58.3	67.3	72.9	70.7	57.2	48.9
	51.5	56.3	66.2	71.6	65.6	56.8	46.0

ABSOLUTE Maximum Temperatures (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1884	65.8	73.0	89.1	75.2	69.3	66.2	55.0
1885	71.6	77.9	80.4	82.2	72.5	72.3	60.6
1886	65.7	78.8	79.2	85.6	82.0	67.6	55.0
1887	63.3	60.6	83.8	84.0	75.9	66.9	60.3
1888	72.7	60.3	83.5	85.8	73.9	67.3	56.5
1889	61.2	75.7	85.8	77.7	83.5	61.5	55.0
1890	70.9	72.0	79.7	82.6	81.9	63.7	63.1
	67.3	71.2	82.1	81.9	77.0	66.5	57.9

MEAN Minima Temperature (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1884	33.8	39.9	50.0	53.6	50.7	40.6	26.8
1885	25.5	36.1	47.3	55.0	49.5	41.7	33.1
1886	39.0	46.8	54.7	61.7	56.7	46.9	34.0
1887	35.4	42.1	51.6	59.5	52.9	44.8	35.6
1888	38.1	39.9	52.9	56.8	52.5	44.4	36.9
1889	35.2	42.1	51.1	58.3	51.8	41.0	30.6
1890	39.0	44.8	52.7	61.9	59.7	45.1	34.9
	35.1	41.7	51.5	58.1	53.4	43.5	33.1

ABSOLUTE Minimum Temperatures (Fahr.).

Year.	May.	June.	July.	August.	September.	October.	November.
	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.	Degrees.
1884	29.5	33.1	36.7	45.7	49.6	30.0	12.9
1885	19.0	23.2	40.1	43.5	41.2	30.0	22.3
1886	33.1	37.9	42.8	54.7	47.1	36.0	20.8
1887	28.0	35.8	41.0	49.8	42.3	37.8	19.9
1888	32.0	35.1	41.0	51.1	42.3	36.3	23.4
1889	29.3	35.1	41.5	45.7	41.4	30.9	16.9
1890	34.0	40.5	41.4	51.8	48.2	37.0	18.9
	29.4	34.4	40.6	48.9	43.3	33.0	19.3

NUMBER of Days Cloudy.

Year.	May.	June.	July.	August.	September.	October.	November.
1884	13	20	20	15	19	6	10
1885	9	9	17	16	13	8	8
1886	11	13	20	8	16	5	5
1887	14	25	16	13	6	10	9
1888	11	22	18	11	14	9	15
1889	20	13	20	12	12	3	9
1890	12	20	15	22	18	14	7
	12.9	17.4	18.0	13.9	14.0	7.9	9.0

NUMBER of Days of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1884	8	5	7	6	7	8	8
1885	10	8	14	16	22	14	17
1886	12	13	14	9	21	14	12
1887	15	17	20	14	15	9	16
1888	14	17	15	9	14	11	15
1889	13	15	10	8	14	19	15
1890	9	11	10	16	17	17	12
	11.7	12.3	12.9	11.1	15.7	13.1	13.6

NUMBER of Days Clear.

Year.	May.	June.	July.	August.	September.	October.	November.
1884 .. ..	..	..	..	1	1	2	3
1885	4	3	..	2	3	5	5
1886	1	1	..	4	1	8	5
1887	1	..	1	3	5	10	3
1888	2	..	3	..	3	5	4
1889	1	3	1	..	4	4	2
1890	1	..	..	..	1	4	2
	1.7	1.0	0.7	1.4	2.6	5.4	3.4

CLOUDINESS expressed in Percentage.

Year.	May.	June.	July.	August.	September.	October.	November.
1884	74	84	82	77	84	62	62
1885	58	60	81	74	70	57	57
1886	61	74	81	63	74	52	51
1887	70	59	77	67	52	50	57
1888	63	85	74	69	65	54	65
1889	76	71	78	62	61	48	56
1890	65	85	77	87	78	65	53
	67	78	79	71	69	55	57

AMOUNT of Precipitation.

Year.	May.	June.	July.	August.	September.	October.	November.
1884	3.41	1.89	3.28	4.71	3.20	2.70	3.44
1885	3.85	2.22	3.41	4.22	8.44	7.17	6.41
1886	4.03	2.94	2.43	4.45	7.43	2.57	2.04
1887	5.03	1.81	2.07	1.29	3.76	4.02	6.06
1888	5.00	8.54	2.19	3.30	6.07	4.15	3.85
1889	2.85	2.78	4.12	4.40	10.63	3.54	1.49
1890	3.56	3.78	2.68	2.04	5.58	4.85	5.79
	3.96	3.42	2.88	3.49	6.44	4.14	4.15

GREATEST Amount of Rain in one Day.

Year.	May.	June.	July.	August.	September.	October.	November.
1884	0.99	0.91	0.77	1.55	1.59	1.36	1.18
1885	1.65	0.96	0.82	2.27	3.51	2.30	1.17
1886	0.73	1.04	1.02	1.27	1.64	0.78	0.98
1887	0.91	0.62	0.42	0.75	1.16	1.46	2.17
1888	1.75	1.86	0.77	1.92	1.98	1.53	1.36
1889	0.70	1.04	2.41	1.61	3.30	1.72	0.32
1890	1.75	1.07	1.50	0.82	1.81	1.05	2.06
	1.21	1.07	1.10	1.46	2.14	1.46	1.31

" TH
to our co
away from
tiveness, a
would on
only in
fisheries."

" It
of poison
because th
there was
It might
brown, lik
of the co
so arrang
are very t
probably
Such an e
expense, a
fishermen

Notes on

" The
the fisher
instances
the worst
contained
in all sal
catching
seals in t
Sect
" Sec
seals, wit
especially
to the est

" Ow
seal kills
extermin
localities
seal is s
neighbour
" At
less than
810 seals

On
as shown
" A
seriously
each for
the coun

*Extracts illustrating the Damage done by Seals to Fisheries.**Injuries to the Fisheries in the Baltic by Seals. By Mr. Hinckelmann.*

"THE constantly increasing number of seals on our Baltic coasts has become so serious a danger to our coast fisheries that it appears high time to find ways and means to keep these injurious animals away from our shores. Ten or fifteen years ago, when our fishermen still underrated their destructiveness, and at best were amused to see one of them, it was hardly thought possible that these animals would one day endanger the fisheries on the coast of Schleswig-Holstein, where they formerly appeared only in small numbers and at places where there was not much chance of their injuring the fisheries."

Baltic Fisheries.

Bull. United States' Fish Commission, vol. vii, 1887, p. 81.

"It is not easy to answer the question as to how the evil can best be remedied, for even the use of poisoned fish as bait (apart from the danger connected with this method) would not be of any use, because the seals are very choice in the selection of their food, and would only take to the dead bait if there was absolutely no chance to get fresh fish, a case which will hardly ever occur in the open sea. It might be recommended to make an experiment with bow-nets made of galvanized iron wire, painted brown, like the colour of the bow-nets usually employed. The shape of these bow-nets should be that of the common bow-nets used for catching cod, but the entrances to the different chambers should be so arranged as to make it easy for the seals to slip in. Live fish—especially cod, of which the seals are very fond—might, if necessary, be put in these bow-nets when they are set; but there would probably be no lack of bait to attract the seals, as even in wire bow-nets plenty of fish are caught. Such an experiment, which should be made in places frequented by seals, would not involve any great expense, and would certainly be a step toward solving the question as to the best way of protecting the fishermen against the seals."

Ibid., p. 82.

Notes on the Hatcheries and Fresh-Water Fisheries of Iceland. By Bened. S. Thorarinsson.

"The attention of the Legislative Assembly was not specially directed to this matter of protecting the fisheries, nor were laws enacted on this subject before 1885; and the present laws are in many instances primitive, imperfect, and inconvenient, according to the conditions of the country. One of the worst features is that in regard to seals, which are so injurious to the salmon fisheries. This is contained in section 4 of the following Statute. The defective point about this bit of legislation is that in all salmon rivers (with one exception) and their mouths, where there are seals there are also seal-catching places, so that the law is of little or no benefit to the salmon, as it is forbidden to disturb the seals in the places where they are at all easily accessible."

Iceland Fisheries.

Ibid., p. 124.

Section 4 referred to is as follows:—

"Section 4. In rivers and their mouths where there are salmon, it is allowed to shoot or frighten seals, with the restriction that the inviolability of breeding and seal-catching places, which are thus especially proclaimed, must not be infringed upon, except with the penalty of full damages, according to the estimate of good men nominated by the Judge and sworn in Court."

"Owing to rewards now granted by Fishing Society of Denmark, amounting to 3 kroner for each seal killed, according to the Copenhagen correspondent of our contemporary, 'Industries,' the extermination of seals is now being energetically pursued in Danish waters. It appears that in those localities where the fishery industry has been pursued with least success the seals most abound. A seal is seldom seen in the neighbourhood of Middlefart, in the Little Belt, as the fishermen in that neighbourhood are very active in fishing and seal-hunting."

Denmark.

"Nautical Magazine," vol. lxx, No. 2, November 1890.

"*Au contraire*, on the small Island of Hosselo, north of Zealand, one man sent in the heads of no less than 120 seals, while another man sent in 40 within the last ten months. During this period 310 seals have been killed."

On the coast of the United States, also, similar facts have been observed even in the present year, as shown by the following paragraph:—

Damage in Essex County, Mass.

"A LARGE SEAL MIGRATION.—The bay fishing in Essex County, Massachusetts, has been so seriously injured by the alleged depredations of seals that the authorities offered a bounty of 1 dollar each for killing them. During 1891 the fishermen killed forty-four on the coast and in the rivers of the county."

"Forest and Stream," February 11, 1892.